

a comprehensive survey and inspection of soldiers' hospitals and other Veterans' Administration facilities; to the Committee on Rules.

By Mr. LANZETTA: Resolution (H. Res. 407) to make House Joint Resolution 440, a joint resolution declaring the policy of Congress relative to employment under the Relief Appropriation Act, a special order of business; to the Committee on Rules.

By Mr. HEALEY: Joint resolution (H. J. Res. 570) proposing an amendment to the Constitution of the United States to enable the United States to lay and collect taxes on income derived from securities issued and salaries paid by any State, and to enable each State to lay and collect taxes on income derived by residents from securities issued and salaries paid under authority of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWELL: A bill (H. R. 9074) for the relief of G. W. Bauserman; to the Committee on Claims.

By Mr. HALLECK: A bill (H. R. 9075) for the relief of James I. Barnes; to the Committee on Claims.

By Mr. HARLAN: A bill (H. R. 9076) for the relief of Here Comes Meeks, Inc., Hamilton, Ohio; to the Committee on Claims.

Also, a bill (H. R. 9077) for the relief of the Miami Valley Brewing Co.; to the Committee on Claims.

By Mr. HAVENNER: A bill (H. R. 9078) authorizing the President of the United States to reappoint Harry Milford Brown as a major in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. IZAC: A bill (H. R. 9079) for the relief of Owen J. Hayes; to the Committee on Claims.

By Mr. KRAMER: A bill (H. R. 9080) for the relief of Edwin W. Saunders; to the Committee on Military Affairs.

By Mr. LUCKEY of Nebraska: A bill (H. R. 9081) granting a pension to Sarah White; to the Committee on Invalid Pensions.

By Mr. PALMISANO (by request): A bill (H. R. 9082) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Allen Pope against the United States; to the Committee on Claims.

By Mr. REECE of Tennessee: A bill (H. R. 9083) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Sam Green; to the Committee on Claims.

Also, a bill (H. R. 9084) for the relief of John Lawson; to the Committee on Claims.

By Mr. RIGNEY: A bill (H. R. 9085) for the relief of Charles J. Ray; to the Committee on Claims.

By Mr. REECE of Tennessee: A bill (H. R. 9086) for the relief of Roy Webb; to the Committee on Claims.

By Mr. RIGNEY: A bill (H. R. 9087) for the relief of James A. Porter; to the Committee on Claims.

Also, a bill (H. R. 9088) for the relief of Walter Reinheimer; to the Committee on Claims.

Also, a bill (H. R. 9089) for the relief of H. F. Cunningham, doing business as the Cunningham Dry Goods Co.; to the Committee on Claims.

Also, a bill (H. R. 9090) for the relief of J. C. Ludolph; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 9091) for the relief of Joe Crisp; to the Committee on Claims.

By Mr. WHITE of Idaho: A bill (H. R. 9092) for the relief of Reuben Owen; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3843. By Mr. BOYLAN of New York: Petition of the Rochester Association of Credit Men, regarding the Revenue Act of 1936; to the Committee on Ways and Means.

3844. By Mr. CLASON: Petition of Ferdinand Caisse and other registered voters of the Second Massachusetts Congressional District, favoring the abolition of the Federal Reserve System and the restoration to Congress of its constitutional right to coin and issue money and regulate the value thereof; to the Committee on Banking and Currency.

3845. By Mr. CLAYPOOL: Petition of certain residents of Logan, Ohio, opposing Senate bill 69; to the Committee on Interstate and Foreign Commerce.

3846. Also, petition of certain residents of Baltimore, Ohio, and vicinity, opposing Senate bill 69; to the Committee on Interstate and Foreign Commerce.

3847. By Mr. CULKIN: Petition of the Woman's Christian Temperance Union of Nyssa, Oreg., urging enactment of House bill 3140, the Culklin bill to ban liquor advertising on the radio; to the Committee on Interstate and Foreign Commerce.

3848. Also, petition of the Watertown Chamber of Commerce, Inc., E. C. Gould, secretary, Watertown, N. Y., opposing enactment of Senate bill 69, the train-limit bill; to the Committee on Interstate and Foreign Commerce.

3849. By Mr. CURLEY: Petition of the United Shoe Workers of America, New York City, urging enactment of the Federal Workweek Act and the Federal Workers Appeal Act; to the Committee on the Civil Service.

3850. Also, petition of the United States Appraisers Stores, Local 54, endorsing the Federal Workweek Act and the Federal Workers Appeal Act; to the Committee on the Civil Service.

3851. By Mr. HAVENNER: Petition of the Western Construction Equipment Dealers and Distributors Association, urging the continuance of the Federal-aid highway program by permitting the Highway Act of June 16, 1936, to remain absolutely unchanged; to the Committee on Appropriations.

3852. By Mr. KENNEY: Petition of Maywood Unit, No. 142, the American Legion Auxiliary of Maywood, N. J., asking favorable action on universal service bill and widows and orphans bill (S. 25 and H. R. 6384); to the Committee on World War Veterans' Legislation.

3853. By Mr. KRAMER: Resolution of the American Federation of Labor relative to investigating charges of extortion and racketeering that are violating human and fundamental rights of the working people of Los Angeles and vicinity, etc.; to the Committee on the Judiciary.

3854. By Mr. SHANLEY: Resolution of the Military Order of the Purple Heart, regarding Senate bill 1516, or as it is more commonly known, the Stars and Stripes fund; to the Committee on the Judiciary.

3855. By the SPEAKER: Petition of R. Matteson, with reference to the Constitution; to the Committee on the Judiciary.

3856. Also, petition of the East Oakland Democratic Club, Oakland, Calif., with reference to the Ludlow referendum amendment; to the Committee on the Judiciary.

SENATE

FRIDAY, JANUARY 21, 1938

(Legislative day of Wednesday, January 5, 1938)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

JOSH LEE, a Senator from the State of Oklahoma, appeared in his seat today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, January 20, 1938, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1832) for the relief of the Consolidated Aircraft Corporation, disagreed to by the Senate; agreed to the conference asked by

the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KENNEDY of Maryland, Mr. KEOGH, and Mr. CARLSON were appointed managers on the part of the House at the conference.

SENATOR FROM NEW JERSEY

The VICE PRESIDENT laid before the Senate a letter from Hon. A. Harry Moore, Governor of New Jersey and former Senator from that State, which was read and ordered to lie on the table, as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
January 18, 1938.

The Honorable JOHN NANCE GARNER,
The Vice President, Washington, D. C.

MY DEAR MR. PRESIDENT: The enclosed is a copy of a letter today tendered to the Governor of New Jersey giving my resignation as United States Senator from this day.

In tendering my resignation I cannot leave without saying a word of appreciation of the courtesies and considerations shown me by you, the membership, and staff of the Senate. My service, while comparatively brief, gave opportunity of gaining knowledge of the operation of the Senate and the personnel of the body. I must say, in leaving, that I have the highest admiration for the Senate as an institution and a high regard for you and its distinguished membership.

The country is fortunate at this time in having such a splendid body of men.

The people of New Jersey have chosen me as their Governor, and it is only because of this consideration of serving my home State in another capacity that I have relinquished the office of Senator.

It is with high esteem and deep appreciation of the many courtesies extended by you and my colleagues that I send this note in parting.

Sincerely yours,

A. HARRY MOORE, Governor.

CALL OF THE ROLL

Mr. LEWIS. Mr. President, in order to assure the presence of a quorum, and in courtesy to the Senator from Mississippi [Mr. BILBO], who is to address the Senate, I note the absence of a quorum, and ask that the roll be called.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Johnson, Calif.	Overton
Andrews	Connally	Johnson, Colo.	Pepper
Ashurst	Copeland	King	Pittman
Austin	Davis	La Follette	Pope
Bailey	Dieterich	Lee	Radcliffe
Bankhead	Donahay	Lewis	Reynolds
Barkley	Duffy	Lodge	Russell
Berry	Ellender	Logan	Schwartz
Bilbo	Frazier	Loneragan	Schwellenbach
Bone	George	Lundeen	Sheppard
Borah	Gerry	McAdoo	Smathers
Bridges	Gibson	McCarran	Smith
Brown, Mich.	Gillette	McGill	Stetler
Brown, N. H.	Glass	McKellar	Thomas, Okla.
Bulkley	Guffey	McNary	Thomas, Utah
Bulow	Hale	Maloney	Townsend
Burke	Harrison	Miller	Truman
Byrd	Hatch	Minton	Tydings
Byrnes	Hayden	Murray	Vandenberg
Capper	Herring	Neely	Van Nuys
Caraway	Hill	Norris	Walsh
Chavez	Hitchcock	O'Mahoney	

Mr. LEWIS. Mr. President, in order not to consume the time of the Senator from Mississippi, I tender and request that there be entered in the RECORD for the day a list of the absent Senators and the reasons for their absence.

The VICE PRESIDENT. Without objection, the list will be printed in the RECORD.

The list referred to is as follows:

The Senator from Rhode Island [Mr. GREEN] and the Senator from Delaware [Mr. HUGHES], absent because of illness. The Senator from New York [Mr. WAGNER], absent because of a cold.

The Senator from West Virginia [Mr. HOLT], unavoidably detained.

The Senator from Montana [Mr. WHEELER], absent on important public business.

Mr. AUSTIN. I announce that the Senator from North Dakota [Mr. NYE] and the Senator from Minnesota [Mr. SHIPSTEAD] are unavoidably absent.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

MEMORIALS

The VICE PRESIDENT laid before the Senate letters in the nature of memorials from Mrs. W. C. Driskell and other citizens of England, Ark., protesting against the United States engaging in war, which were referred to the Committee on Foreign Relations.

CONDITIONS AFFECTING NAVAJO INDIANS

Mr. CHAVEZ. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a petition to the Congress of the United States from sundry representatives of Navajo Indians from all parts of the reservation in New Mexico, Arizona, and Utah.

There being no objection, the petition was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD without the names attached except the first, as follows:

FARMINGTON, N. MEX., January 8, 1938.

To the Congress of the United States:

We, the representatives of Navajo Indians from all parts of the reservation in New Mexico and Arizona and Utah, assembled in conference on this 8th day of January 1938, do hereby make known to you some of the strange and ruinous policies forced upon our Navajo people by Indian Commissioner John Collier and his agent, E. R. Fryer, of Window Rock, Ariz. We trust that you will give your prompt attention to these vital matters we present, as follows:

STOCK REDUCTION

This is the same old story, only which is getting worse and is continued in a most unsatisfactory manner. At the beginning our people were shamefully underpaid for their sheep at \$1 to \$2 per head; now, we are required to get rid of our horses at such ridiculous prices of \$2 to \$3 per head, and our cattle is at stake also. We cannot but feel this to be robbing our poor Navajo people of their living; it is taking their property without respect of ownership. Indian Agent Fryer and his force of white and Indian subordinates are executing the wild scheme of stock reduction. The plan would be justifiable to our people if they were respected and given complete control to make their own reduction instead of forcing them to do so under threats.

We understand that Secretary Ickes, in his departmental order, said that the reduction should be made "with the advice and consent of the Navajo tribal council or any livestock association, chapter organization, or district council, to which the tribal council may desire to delegate responsibility for local management plan, etc." This provision as laid down by the Secretary has never been adhered to because the local authorities would not recognize any of these organizations, and because there is no tribal council now to function for the tribe. The Commissioner of Indian Affairs is wholly responsible for the dissolution of the tribal council so how could there be any lawful business?

In our treaty of 1868 with the United States Government, article I provides protection of Indian property, which says that "If bad men among the white, or among other people, subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause offender to be arrested and punished according to the laws of the United States, and also to reimburse the injured persons for the loss sustained." According to this provision we have more than proved to the congressional committees on Indian affairs of these facts and that by this continual reduction of our livestock we have been more than injured economically and otherwise. In spite of our vigorous protests against such drastic measures the pressure is still spreading over our property, which means despondency, starvation, dole, relief, and what not. We have been a self-supporting people and we do not ask for a ration system of government. We object to this robbery of our happiness, and ask you to please read carefully copy of what has now been ordered on our people about our sheep, etc. We deem this to mean destruction of our people.

EDUCATION

We wish to remind you of the fact that the treaty mentioned above, article 6 provides: "In order to insure the civilization of the Indians entering into this treaty, the necessity of education is admitted * * *." Upon this agreement schools were established at different parts of our reservation where a large number of our boys and girls attended and received excellent training and we were perfectly satisfied with the boarding schools as conducted.

Now, a wholesale change made in the school system has certainly knocked the bottom out of all our hopes in education, especially when we are required to furnish all clothing for our children while they attend the Government schools. We fail to ascertain when and in what session of Congress such a law has been enacted that would require our people to furnish clothing for their children. It is not so much that our people object to such requirement, but it is not fair for the Indian Bureau to ask the Navajos to comply especially right after they have been made to reduce their only means of living—sheep—and support * * *. The Indian Service workers are telling the Indians that Congress in its last session had made a big cut in the school appropriations, and therefore they (the Indians) are asked to help the Govern-

ment by buying clothing for their children. The order was given out a few days before school opened last fall and thus has cut down the enrollment in a number of schools because the Indians were caught off their guard and unable to buy clothing. We believe this unfair lid should be lifted so that our children may return to school for we do not oppose any kind of education when it is practical.

TRIBAL COUNCIL

We will now call your attention to the fact that we, as a tribe, absolutely failed to recognize, but condemn the manner and idea in which the Indian Bureau has made selection of a few Indians and appointed them as councilmen, some of which are trying to act as dictators among the people. Why should such a thing be allowed to continue on the reservation? Why such discrimination to cause ill-feeling between the Indians? We have made protests by letters and petitions against such, and we even sent delegations to Washington to plead for fair adjustments for our people. Have other Indians as much right to live and enjoy privileges as the Indian Bureau favored Indians?

We resolve that we will not, while acting according to all rights and privileges given to us by the Constitution of the United States and of the laws of the States, recognize the present Indian Bureau's handpicked council which Commissioner Collier has okayed and forcing upon our people in an unlawful way. These handpicked men are not the choice of our tribe as a whole to represent them in any tribal meeting, and for this reason we, the Navajo Tribe demand of the Secretary of the Interior and the Commissioner of Indian Affairs to grant to our tribe an impartial but open and free election by votes for councilmen who will represent the people, and thus reestablish a really representative tribal council as soon as possible in order that confidence, peace, harmony, and trust may be restored among our people. That is our plea. That is our program.

NAVAJO CONSTITUTION

In connection with the statement made concerning the handpicked council, we again fail to recognize, and vigorously condemn a so-called Navajo constitution drafted by a few Indians under the advisement of a few white persons at Window Rock, which is now being kept secret from our people. It has been reported, in roundabout way, that the said constitution is to be presented to the Secretary of the Interior for his approval, and that he would put it into effect at once, without the knowledge and consent of our people. A few favored Indians mentioned above are the authors of the constitution. We would have no objection to such document if it was the work of a representative council and approved by the tribe. As it is now we cannot help but feel that it is purely a communistic plan by which to suppress the freedom of the Indian people. We protest and defy such an idea and scheme, therefore, we humbly ask that no such document be considered by the Indian Affairs Committees of Congress lest it be approved by the Navajo people as a whole, and the work of a representative duly elected council of the people's choice.

IS OUR TREATY A LAW?

We would like to be enlightened definitely on the matter of our treaty made with the United States Government in 1868 at Fort Sumner, N. Mex., on June 1, 1868. According to the provisions of the treaty there would be no subdivision of land made but only by the consent of three-fourths votes of the adult Indians favoring it.

In 1933 Commissioner Collier condemned the six jurisdictions we had then on the reservation with a superintendent in each to take care of the Indian problems and needs, because he said it was bad business and too many superintendents and bosses. What did he do? He did not keep our reservation as one but divided it into 18 districts and placed in each a district supervisor; under these supervisors he has placed cowboys to help the supervisors. All this took place without our consent of three-fourths vote of the people. It has come to our understanding that most of these said cowboys are carrying revolvers along with them wherever they go on the reservation. Now, what about our treaty? Is it nothing more than just a scrap of paper as some say it is, or is it still a law? Why should Commissioner Collier push all this upon us when we, as a tribe, have been living up to the treaty since it was made?

TAKING INDIAN HOMES

Referring back to the treaty once more, we would like to know why Commissioner Collier's district supervisor, stationed at a place called Pinon, Ariz., has taken some kind of a law into his own hand and driven some Indian families out of their own homes in which they had lived for 50 years and has put a Government fence around the whole area, including every hogan (home), cornfields, and water the Indians have developed many years ago. They have been turned out in the cold with their children and are forbidden to cut any timber to build other hogans for the protection of their families during these cold winter days. What right has Collier and his agent, Fryer, to instruct their employees to do such things? We would like to have the Secretary of the Interior be informed of this matter and ask that those people near Pinon, Ariz., be given back their homes and improvements. More information can be given on this particular incident if so desired.

LAW-AND-ORDER CODE—INDIAN POLICE

Since the Navajo Tribal Council has been dissolved by Commissioner Collier 2 years ago, there has been introduced mysteriously a law-and-order code which simply has intoxicated the whole Indian police force with the power given into their hands.

Instead of educating the Navajos to learn to respect such law and order, through negligence they became unreasonable and began to abuse their duties as peace officers by being severe with the Navajo people. The Indian court judges and police force should be reorganized for the good of the tribe. The said code has never been accepted by the people through their tribal council because there is no tribal council today. We believe in better law-and-order system than we have now.

DEMAND FULFILLMENT OF PROMISE

In about the year 1934 some real representatives of the Indian Service officials made a specific and definite promise to assign land under irrigation in 20-acre tracts on the Fruitland project; and while this was not according to treaty agreement, which provides 160 acres of land to each head of the family, our people were glad and were preparing for the new offer. But this promise was soon spoiled when a new man came—E. R. Fryer, the present agent with a dictatorial authority, acting under the instructions of Commissioner Collier, and denied our people the right to receive the land as promised to them. This has aroused the Indians' feeling, and the land today is still idle. Now, we venture to say that if this denial, coupled with stock reduction, continues, in the very near future starvation will be upon the Indians, especially in the northeast corner of Arizona and northwest corner of New Mexico, once the most prosperous self-supporting people in the United States.

We wonder how Commissioner Collier and Agent Fryer would answer before the Almighty's judgment seat when questioned what they have done to the Navajo Indians. Would they answer that they had starved them by taking away their sheep, cattle, and their farm lands? We want the assignment of land at the Fruitland project as promised to us.

We hope that the Congress of the United States, in whose hands lie all power of the Government in our great land, will consider the problems we have presented in our humble way and that they may enact some reasonable legislation that would eliminate all fear from the minds of our Navajo people, the majority of which are yet to be educated.

We have stated to you very abruptly only those matters that have been exercised over our people by the iron rules of the present Indian Bureau. We have been holding out patiently and hopefully and without grudge against any individual, but what we complain about is of the fact that some gross injustices have been inflicted upon our Navajo people. We have been pleading with the Indian Bureau people that we need some just consideration in all tribal matters affecting our people, but it seems futile and hopeless to continue our pleas to them.

We feel that we are being punished by the Indian Bureau officials because we are trying to defend our rights, and also because we have turned down the self-government idea under the Wheeler-Howard Act. Now, the way we view the whole situation is that by such drastic measures as stock reduction, land and school questions, etc., we are to submit under the pressure of starvation. We will continue to fight for our rights and privileges which we have under the Constitution of the United States; therefore we are appealing to you for help by this petition.

In the days before Columbus discovered the Western Hemisphere, our Navajo people made their living in their own way, and they can do it again any time without the tyrannous rule of the Indian Bureau. What we ask for is justice and opportunity to move along forward and not backward. We would have you know that while we are natives of this great country and of this great Government, all that we ask is equal justice under law. To submit ourselves to any foreign idea of government is out of question, even if pressure is put upon us by starvation.

We who sign this petition are purely representatives of our Navajo Tribe. We realize the Indian Bureau will come back and say that we have been stirred up by some agitators or troublemakers, but 'be it far from us, for we speak for our people. We have written to you in our best way and hope you will help the Congress to understand the situation out here, and we know that the Congress will take action to correct some of the unfair dealings according to their wisdom. We trust that you will rely on these facts to be true, for we have spoken from our hearts and consider these matters very serious to our people.

Respectfully submitted.

BOO MARTIN (and others).

REPORTS OF COMMITTEES

Mr. NORRIS, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 239) authorizing the Federal Trade Commission to make an investigation of the Tennessee Valley Authority, reported it with an amendment.

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (S. 2777) for the benefit of the Goshute and other Indians, and for other purposes, reported it with an amendment and submitted a report (No. 1308) thereon.

He also, from the same committee, to which was referred the bill (S. 2870) for the relief of Margaret Turney and Bertha Turney LaMotte, heirs of Theresa Turney, reported it without amendment and submitted a report (No. 1309) thereon.

Mr. HATCH, from the Committee on Indian Affairs, to which was referred the bill (S. 2827) to authorize the purchase of certain lands for the Apache Tribe of the Mescalero Reservation, N. Mex., reported it without amendment and submitted a report (No. 1310) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK:

A bill (S. 3293) to amend section 1101 of the Social Security Act; to the Committee on Finance.

By Mr. GUFFEY:

A bill (S. 3294) for the relief of Dravo Corporation; and

A bill (S. 3295) for the relief of Dravo Corporation; to the Committee on Claims.

By Mr. PEPPER:

A bill (S. 3296) to provide for a permanent Bureau of Fine Arts; to the Committee on Education and Labor.

A bill (S. 3297) to provide for the construction of a Merchant Marine Academy; to the Committee on Commerce.

By Mr. REYNOLDS:

A bill (S. 3298) for the relief of Claude B. Robinson; to the Committee on Naval Affairs.

AMENDMENT TO INDEPENDENT OFFICES APPROPRIATION BILL

Mr. McKELLAR submitted an amendment intended to be proposed by him to House bill 8837, the independent offices appropriation bill, 1939, which was ordered to lie on the table and to be printed, as follows:

On page 67, after line 12, to insert the following:

"No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States (except persons now in the employ of the Government), the rate of which is \$4,000 or more per annum, who shall not have been appointed by the President, by and with the advice and consent of the Senate."

AMENDMENT OF RULES—COMMITTEE ON AIR COMMERCE AND CIVIL AVIATION

Mr. BYRD submitted the following resolution (S. Res. 225), which was referred to the Committee on Rules:

Resolved, That rule XXV of the Standing Rules of the Senate be, and the same is hereby, amended by inserting, on page 30, after the third line of paragraph 1, the following:

"Committee on Air Commerce and Civil Aviation, to consist of 12 Senators."

TENNESSEE UNEMPLOYMENT COMPENSATION DIVISION, SOCIAL SECURITY BOARD

Mr. McKELLAR submitted the following resolution (S. Res. 226), which was referred to the Committee on Finance:

Resolved, That there is hereby created a special committee, to be composed of five Senators, to be appointed by the President of the Senate, which committee is hereby authorized and directed to make a full and complete investigation into the administration, activities, and operations of the Tennessee Unemployment Compensation Division of the Social Security Board. The said committee shall report to the Senate as early as practicable the results of its investigation together with recommendations as to the advisability or necessity of amending the Social Security Act so as to provide for the appointment of personnel on a merit basis.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-fifth Congress, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$2,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

ORDER OF BUSINESS

Mr. BILBO, Mr. TRUMAN, Mr. HILL, and other Senators addressed the Chair.

The VICE PRESIDENT. A number of Senators apparently wish to insert matters in the RECORD. The Senator from Mississippi [Mr. BILBO] has given notice that he desires recognition. He is entitled to recognition. The Chair would

recognize other Senators for the purpose of asking unanimous consent, provided no Senator would take advantage of his recognition to hold the floor. With that understanding, the Chair will recognize Senators for routine matters.

CHRISTMAS IN A DEMOCRACY—ROUND-TABLE DISCUSSION WITH SENATOR GREEN

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a round-table discussion, broadcast over Columbia network, between Senator Green, Miss Frances Farmer, Mr. Burgess Meredith, and Mr. and Mrs. Chester Allen, at a dinner in New York City, December 23, 1937, which appears in the Appendix.]

TOO MANY TAXES—ARTICLE BY SENATOR DAVIS

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article entitled "Too Many Taxes," written by Senator DAVIS, and published in the magazine Freehold, of the issue of January 15, 1938, which appears in the Appendix.]

RESPONSIBILITIES OF THE UNITED STATES AS A WORLD POWER—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. POPE asked and obtained leave to have printed in the RECORD an address delivered by Senator THOMAS of Utah before the Thirteenth Conference on the Cause and Cure of War, held at Washington, D. C., January 20, 1938, which appears in the Appendix.]

JACKSON DAY DINNER ADDRESS AT DALLAS, TEX., BY HON. JESSE H. JONES

[Mr. HILL asked and obtained leave to have printed in the RECORD the Jackson Day dinner address delivered by Hon. Jesse H. Jones, Chairman of the Reconstruction Finance Corporation, at the Adolphus Hotel, Dallas, Tex., on January 8, 1938, which appears in the Appendix.]

TRIBUTE TO THE LATE JUDGE C. C. DICKINSON

[Mr. CLARK asked and obtained leave to have printed in the RECORD a tribute from the Clinton Daily Democrat to the late Judge C. C. Dickinson, formerly a Member of the House of Representatives from Missouri, which appears in the Appendix.]

SOCIAL-SECURITY PROGRAM IN TENNESSEE

[Mr. BERRY asked and obtained leave to have printed in the RECORD several letters and telegrams relative to the social-security program in Tennessee, which appear in the Appendix.]

PREVENTION OF AND PUNISHMENT FOR LYNCHING

The Senate resumed the consideration of the bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching.

Mr. BARKLEY. Mr. President, I desire to make a brief statement for the information of Senators with reference to the procedure in the immediate future.

It is perfectly obvious that at the snail's pace we have been making in regard to the consideration of this bill, there is no way to predict how much longer its consideration will require. I, of course, am interested in facilitating the consideration of the Senate's business, and I regard it as my duty to cooperate and assist in any way possible to have whatever legislation is reported by committees given the consideration to which it may be entitled.

I do not say that in criticism of anybody, and I am not the keeper of any man's conscience, and it is not for me to question the motives or the procedure of any Senator who may resort to any technical rule or device which may occur to him either in furtherance or in opposition to legislation. But the committees of the Senate are beginning and will continue to report important measures for consideration from now on; and it is obvious that if they are to be considered, the matter now constituting the unfinished business of the Senate must be in some way disposed of at an early date.

Looking to that end, Mr. President, I wish to notify the Senate that beginning on Monday next I shall ask the Senate to convene at 11 o'clock a. m., and, beginning on Mon-

day, I shall ask the Senate to sit at night, in order that we may consider the pending bill as speedily and effectively as is possible. I wish also to say that it is not contemplated that we shall have a session tomorrow. We shall recess at 5 o'clock today, and I hope we may meet at 11 o'clock on Monday and continue in session from day to day, beginning at that hour.

Mr. McNARY. Mr. President, those of us who are desirous of seeing this measure come to a final vote realize that we must press forward with renewed aggressiveness. I am happy to join the able Senator from Kentucky, the Democratic leader, in carrying on this fight more aggressively in the future.

Mr. CONNALLY. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas desire recognition?

Mr. CONNALLY. The Senator from Texas desires recognition on the same subject on which the other two Senators have been recognized.

The VICE PRESIDENT. It is the duty of the Chair to protect the Senator from Mississippi [Mr. BILBO]. If his right to the floor will not be jeopardized, the Chair will be glad to recognize the Senator from Texas.

Mr. CONNALLY. Mr. President, in announcing prospective night sessions the Senator from Kentucky evidently is expressing the thought that those of us who are debating this bill and are opposed to it are seeking to obstruct the public business of the Senate.

I desire to say that we have no objection to night sessions, and I hope Senators will be here at night a little more faithfully than they have been here during the day. There are a number of Senators who as yet have had no opportunity at all to discuss the bill. They want that opportunity and they are going to embrace that opportunity.

In fairness to those who are opposed to the bill, I think it ought to be said that so long as the proponents of the bill are using every resource of manpower and parliamentary skill and tactics to cram this bill down our throats, we shall likewise use what resources we have of manpower and parliamentary procedure to see that they do not cram it down our throats.

We have seen here the spectacle of rules being invoked on account of this bill that are never invoked on other legislation, all sorts of technicalities and theories that Senators cannot put matter in the RECORD without taking the speaker from the floor, that Senators cannot secure the attendance of quorums without taking the speaker from the floor, and so on. If tactics of this kind are legitimate for the proponents of the bill to employ, they are also legitimate for the opponents of the bill to employ. If the Senator from Kentucky and others desire to have public business transacted, all they have to do is to go ahead and transact public business by taking up such legislation as they think ought to be considered.

Mr. President, I think I speak not alone for myself but for a considerable group of Senators opposed to this bill; and that is going to be our attitude. We are going to discuss the bill. Many Senators so far have had no opportunity to do so; and we are going to employ whatever parliamentary rules are necessary to insure a thorough discussion of this measure by the Senators who have not discussed it.

Mr. BARKLEY. Mr. President, in that connection, if I may say just a further word, the step which I have announced is not only not for the purpose of preventing Senators from addressing the Senate on the pending measure but is to facilitate their ability to do so.

I shall not enter into any controversy as to who or which side has resorted to more technicalities here, either in furtherance of the proposed legislation or in opposition to it. Let the Senate be the judge on that subject.

Mr. BILBO. Mr. President, I am not yet a filibuster; it is not my purpose to make a filibustering speech today; but in all seriousness I want to discuss with my colleagues and the country at large the tremendous issues suggested by the pending measure. I want to announce, however, that while

this is not a filibustering speech, because I am not going to detain the Senate so very long on this occasion, yet if it becomes necessary to defeat this unthinkable, un-American, and undemocratic piece of legislation, I am ready to speak 30 or 60 days or longer. To defeat this measure, so help me God, I would be willing to speak every day of the year 1938. Once upon a time I did speak 10 hours a day for 6 months, and I am ready and prepared to do it again.

For the sake of democratic ideals, for the preservation of the scheme of our great American Government, and for the protection of the wives, mothers, daughters, and sweethearts of Dixie, I am ready to say that if it is humanly possible, this monstrous bill shall not pass. Like General Grant when trying to take Richmond, we will fight it out along this line if it takes all summer.

I take no stock in the declarations or threats that if this undemocratic, unconstitutional, un-American, and insulting indictment against my State and section is, through and by the power of numbers, crammed down my throat and the throats of all southern men and women, my people will desert the Democratic Party. We are not Democrats because we live in the South. We are not Democrats because of the race question. We are Democrats through conviction and belief that the principles and policies of government espoused by the great Democratic Party from the days of Jefferson and Jackson down to this good hour constitute the hope of the American people. Some of our northern brethren and northern Democrats may desert us. They may desert the principles for which the Democratic Party has stood for more than a century; but as for me and mine, we are still going to be Democrats.

It has been 73 years since the Civil War closed; and during all these years the South has had to carry the black burden brought about by the emancipation of the black man who resided in our midst. With wisdom, charity, and statesmanship we have handled this problem well. Why is it now, after three-quarters of a century, at the instance of a few politicians, a few negrophilists or Negro lovers, and a handful of mulatto Negro voters, that an attempt is made at this late date to cram down the throats of the South this insulting, undemocratic, and un-American piece of legislation? Why, even Thaddeus Stephens and his clique of southern haters in the days of bitterness born of a bloody Civil War would not now dare to try to pass such a law. Let me tell the great host of mulattoes, octoroons, quadroons, and time-serving politicians, many of whom I have seen in the galleries of the Senate from day to day since this measure has been under consideration, who are demanding that this piece of legislation be passed by the Senate, that they do not know what they are doing; and I could well say of them what Christ said of those who crucified Him: "Father, forgive them; for they know not what they do."

But I want to tell the advocates of the bill one thing: If you succeed in the passage of this bill, you will open the flood-gates of hell in the South. Raping, mobbing, lynching, race riots, and crime will be increased a thousandfold; and upon your garments and the garments of those who are responsible for the passage of this measure will be the blood of the raped and outraged daughters of Dixie, as well as the blood of the perpetrators of these crimes that the red-blooded Anglo-Saxon white southern men will not tolerate.

Mr. President, before proceeding further with the discussion of the pending measure I want to make a very definite announcement, followed by a very definite proposition to my colleagues on this floor who are urging the passage of the pending measure. No Senator on this floor is more loyal and devoted than I am to the Democratic Party and to Democracy's great and matchless leader, Franklin D. Roosevelt. No one is more anxious to see the administration's full and complete program enacted into law. For 3 years I have loyally and faithfully stood by the administration in all things for the welfare of our country. No man or woman on this floor can question my loyalty and fidelity to the administration's ideals, purposes, and objectives. I am just as anxious as is any Senator here to see a farm bill enacted, for which

the farmers of America are clamoring. I want to see a wage and hour bill finally passed by the Congress. I am for the \$16,000,000 housing program. I am anxious to see the reorganization bill recommended by the President put into effect.

I am ready to stay here and carry out all the major recommendations of our great leader, Franklin D. Roosevelt. But, Mr. President, there are some things in life that are priceless. There are some things that are more precious than gold and silver or material welfare. The purity and virtue and womanhood of the mothers, wives, daughters, and sweethearts of Dixie, and constitutional government, are more precious to me and mine, and mean more to my people than every measure recommended by the incomparable leader of our party and our Nation.

I know that every farmer of the South wants a farm bill; but I know that I speak for each and every one of them when I tell you that they had rather have no farm bill at all than to see this damnable law passed by Congress.

I trust the Senator from Oregon [Mr. McNARY], who leads the Republicans, will listen to this proposition: I suggest this gentleman's agreement to my colleagues on the floor of the Senate who seem so anxious to secure the passage of this unthinkable piece of legislation:

I will agree, and I am sure my colleagues who are opposing this measure with me will agree, that when these administration measures are ready for consideration by the Senate further consideration of the antilynching law shall be laid aside and the Senate shall proceed with the discussion and disposition of really worth-while legislation. When all this work shall have been finished the Senate may, if it sees fit, take up again for discussion the antilynching bill. Let me say to you gentlemen of the opposition, if you are not willing to accept this proposition or enter into this gentleman's agreement, you will by your acts say to the country that you had rather secure the passage of the monstrous and damnable antilynching bill than to pass the measures submitted and recommended by President Roosevelt. I want the country to know that the responsibility will be yours and not ours; and let me say further that if you are not willing to enter into this agreement, I for one—and I believe that my associates in this fight will stand with me—will stand here and oppose the passage of this undemocratic and un-American and unconstitutional piece of legislation "till hell freezes over."

Mr. President, in voicing my opposition to House bill 1507, commonly referred to as the Federal antilynching bill, I want it distinctly understood that I am personally as bitterly opposed to the crime of murder in any form as the most enthusiastic antilyner on this floor. I am opposed to murder by the individual, by the mob, by the gangster, by the racketeer, or murder in any other form. I am even opposed to capital punishment or the taking of human life by organized society. I could never qualify for service on a jury trying a case in which the punishment would be capital punishment. To my mind and to my conscience it is all murder, and no law or governmental enactment by a legislature or by Congress justifies it or keeps it from being a deliberate and definite disobedience of the divine commandment from God on high, "Thou shalt not kill."

For 8 years I was Governor of the great and glorious Commonwealth of Mississippi, and during that term of service, it is true, I refused in a few cases to interfere with the verdicts of juries and decisions of our courts where the death penalty had been imposed under the laws of my State; yet in every case brought before me during the 8 years I sought every legal and justifiable excuse to commute from death to life imprisonment. I am happy today that I prevented the judicial murder of many human beings, both black and white, during these 8 years, for which I have no regrets, my only regret being that I could not find some excuse to save the life of every human being who was condemned to die under the laws of my State during these 8 years.

Whether admitted or not by the proponents of the pending measure here on the floor or by those on the outside

who insist upon its passage, it is generally understood that this proposed Federal law is intended to put a stop to lynching only, and especially in the South, where the great majority of the 12,000,000 Negroes in the United States now reside. The individual advocates of this measure, if frank and honest, and even the press of the country, will not hesitate to say that the underlying purpose is to prevent the lynching of members of the Negro race in the South by the white citizens of that great section of the United States. All the press agrees to that.

I resent this measure as an insult to the law-abiding men and women of the South and to the officials of the county, city, and State governments of the South. It is a damnable and unjustifiable indictment against their efficiency and their loyalty and fidelity to righteous and constitutional government. I know that I voice the sentiment of all the right-thinking and Christian men and women of the land of Dixie when I state that there is no sentiment in favor of lynching in the South among the best people of the South.

I have talked to men, good citizens of the South, who have possibly in the past been swept off their feet, whose reason has been dethroned, whose passions have been so thoroughly roused when some vicious, desperate, crazed Negro brute, controlled by animal instincts only, has raped some sweet and innocent white girl or some good mother that they joined in a mob to deal out immediate and summary justice to the rapist, when they themselves are opposed to mob law.

The ministers of the Christian churches, the good women of the South, the good men of the South, have for years been striving to build up a wholesome and controlling sentiment against lynching. Our Governors, sheriffs, and all other law-enforcing officers of the South now know that they will have the sympathy and support and backing of the controlling sentiment of every county in the South when they use every effort, even to the extent of risking their lives, to prevent the taking of human life by a mob. There is not a Governor in the South who will hesitate for one moment to call out the armed forces of the State to prevent a lynching not only upon the party committing the crime, before the criminal has been apprehended, but it is no uncommon thing to see the National Guard of the State called out to protect the prisoner while he is being tried in the courts of our land.

So strong has become this sentiment against mob violence of every sort and kind that we have been able, as has been told so many times in this debate, to reduce the number of lynchings to almost a minimum, there being only 8 lynchings in the whole United States during the year 1937, whereas in former years lynchings sometimes reached 250 to 300 each year. Then why such insistence on the part of some Members of Congress and some misguided and misinformed leaders on the outside to enact this miserable, unconstitutional, and monstrous piece of legislation?

I accord sincerity to my colleagues and to those who insist upon the passage of this law. It may be that their intentions are good, and the members of the Negro race who are insisting upon this legislation from the North or from the South may believe that they are rendering a worth-while service to the Negro race, that the proposed law would result in obliterating lynchings altogether, but I want to make the prophecy that if such a law is put upon the Federal statute books there will be witnessed a large increase of lynchings, not only in the South, but throughout the Nation. This bill could be properly denominated "a bill to increase lynchings," instead of a measure to prevent mob violence, because that is certain to be the effect.

Yes; the people of the South are sincerely against mob violence. Day by day the sentiment against lynching has been crystallized, until it would be a hard matter to find any man or woman south of the Mason and Dixon's line who would try to defend it.

Woodrow Wilson was right in what he said on July 26, 1918, in a proclamation from the White House in his appeal to his fellow countrymen to cooperate, not passively merely,

but actively and watchfully, to make an end of this disgraceful evil. Here are the words of President Wilson:

I say plainly that every American who takes part in the action of a mob or gives it any sort of countenance is no true son of this great democracy, but its betrayer, and does more to discredit her by that single disloyalty to her standards of law and right than the words of her statesmen or the sacrifices of her heroic boys in the trenches can do to make suffering peoples believe her to be their savior.

It is a well-known fact that President Franklin D. Roosevelt has taken no part in the fight to pass this Federal antilynching bill. Although he has many times expressed himself against lynching, he has not recommended the passage of a Federal antilynching bill, so let the world know that this is not an administration measure. On December 6, 1933, President Roosevelt, addressing a meeting of the Federal Council of Churches of Christ in America, said:

This new generation, for example, is not content with preachings against that vile form of collective murder—lynch law—which has broken out in our midst anew. We know that it is murder, and a deliberate and definite disobedience of the commandment, "Thou shalt not kill." We do not excuse those in high places or in low who condone lynch law.

In his annual message to Congress, January 3, 1934, he said:

* * * crimes of organized banditry, cold-blooded shooting, lynching, and kidnaping have threatened our security.

These violations of ethics and these violations of law call on the strong arm of Government for their immediate suppression; they call also on the country for an aroused public opinion.

It will be noted that he did not refer to the Federal Government.

Addressing the Attorney General's crime conference on December 10, 1934, he said:

I ask you, therefore, to do all in your power to interpret the problem of crime to the people of this country. They must realize the many implications of that word "crime." It is not enough that they become interested in one phase only. At one moment popular resentment and anger may be roused by an outbreak of some particular form of crime, such, for example, as widespread banditry; or at another moment, of appalling kidnapings; or at another of widespread drug peddling; or at another of horrifying lynchings.

I state in this connection that my State has a very strong statute protecting the man who is sought by the mob, and penalizing the sheriff to the extent of removing him from office if he does not exercise due care and is not faithful in the performance of the duties of his office in protecting the man whom the mob is seeking. That is the law of Mississippi.

Mr. President, it might be of interest and pertinent to this discussion at this time to briefly review the origin of the term "lynch law." Students of this subject generally agree that the term "lynch law" is traceable to the actions of an extralegal court established during the Revolutionary War in Bedford County, Va., and presided over by Charles Lynch, justice of the peace, and the elder brother of John Lynch, for whom the city of Lynchburg, Va., was named, and the home of our beloved and distinguished senior Senator from Virginia [Mr. GLASS].

It is said that owing to the unsettled conditions prevailing at that time the Honorable Charles Lynch, justice of the peace, undertook to punish lawbreakers of all kinds. In 1780 his court tried and sentenced the participants in a loyalist conspiracy, and when this matter was brought before the Virginia Legislature 2 years later, Judge Lynch and other members of his court were exonerated—and this is the striking thing about this exoneration, it being held by the Virginia Assembly that the acts of Judge Lynch and his associates, though "not strictly warranted by law" were "justifiable from the imminence of the danger."

This same justification, "justifiable from the imminence of the danger," although unwarranted by law, has furnished the excuse for all the lynchings that took place in the wild and woolly West in the early days of its settlement.

Whipping was the usual sentence imposed by Judge Lynch, and the word "lynching" originally signified merely a summary whipping executed without customary legal processes.

It was later applied to tarring and feathering and other minor punishments. However, the term is now used almost solely to describe the killing of a person by a mob, although it may also mean simply the injury of a person through mob action.

Many States have made lynching a special statutory crime, and there are many definitions in these statutes of what constitutes lynching. Minnesota says by her laws that a lynching is the killing of a human being by the act or procurement of a mob. Down in Kentucky a lynching occurs only when the person killed by a mob was in the custody of officers, which is a very happy solution; while in North Carolina lynching is defined as entering or conspiring to enter a jail for the purpose of killing a prisoner. In good old Ohio a lynching is an act of violence upon the body of a person by a mob.

In these special statutory enactments for the various States the minimum number of persons comprising a mob varies from one in Alabama, Indiana, and Kansas to three in Kentucky, but it takes five to make a mob in Illinois, New Jersey, and West Virginia.

Some State laws are more general in specifying the number to make a mob by merely stating a collection of persons. Since there have arisen so many legal quibblings in the definition of mobs and lynchings, the Southern Commission on the Study of Lynching, carried out under the supervision of the School of Law of the University of North Carolina, has concluded that legislatures should not try to formulate a scientific definition of lynching or of a mob, but, rather, that there should be a generalization broad enough to allow each case to be decided on its individual aspects. The following generalization was included in a proposed model antilynching act: "Lynching is the killing or aggravated injury of a human being by the act or procurement of a mob."

The bill before us, section 2, says that—

Any assemblage of three or more persons which shall exercise or attempt to exercise, by physical violence and without authority of law, any power of correction or punishment over any citizen or citizens, or other person or persons, in the custody of any peace officer, or suspected of, charged with, or convicted of the commission of any offense, with the purpose or consequence of preventing the apprehension or trial or punishment by law of such citizen or citizens, person or persons, shall constitute a "mob" within the meaning of this act.

And, further—

Any such violence by a mob which results in the death or maiming of the victim or victims thereof shall constitute lynching within the meaning of this act.

Mr. POPE. Mr. President—

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. BILBO. I yield.

Mr. POPE. Does the Senator know why the number three was selected in the present bill? Are there a number of State laws which define a mob to consist of three or more persons?

Mr. BILBO. I do not know why the number three was selected, because I was not in on the drafting of this bill. The number used in various State laws vary. In some the number is as high as five. In other States it is lower.

The most amazing and astounding part of the definition of mob and lynching in the bill under consideration is the proviso set out in lines 10 to 16 on page 7, which reads as follows:

Provided, however, That lynching shall not be deemed to include violence occurring between members of groups of lawbreakers such as are commonly designated as gangsters or racketeers, nor of violence occurring during the course of picketing or boycotting or any incident in connection with any labor dispute, as that term is defined and used in the act of March 23, 1932 (47 Stat. 70).

In other words, the coauthors of this bill, who hail from the States of New York and Indiana, have no objections if 25 racketeers or gangsters organize and proceed forthwith to hang or to drown, or shoot, or cut the heads off, or in some other way destroy the lives of 5 or 10, or more or less, human beings who may be classed as racketeers. In other words, by inference the license is given to racketeers and gangsters, no matter what kind of racketeering they may be engaged in, to

go out and mob, without any danger of violating the proposed Federal law against lynching, and the poor wives and children of the mobbed and murdered racketeer shall be denied the right to sue for two or ten thousand dollars because the bread-winning racketeer has been summarily passed on to the happy hunting ground.

Oh, yes, the authors of this bill insist and demand that the wife and children, or the next of kin, of a vicious, black, crazed Negro, who rapes a pure and innocent white woman and murders her, shall be paid \$10,000 of the innocent taxpayers' money, but the racketeer who may be engaged in some more or less questionable racket such as selling liquor, when lynched or mobbed by his competitors in the racket, leaves nothing for his destitute family as the result of his passing on to the other world at the hands of a mob composed of his competitors.

In other words, if you want to leave your wife or next of kin an estate of \$10,000 cash, you must commit murder or rape. Under the provisions of this bill it is perfectly all right for 75 or 100 laboring people, belonging to the American Federation of Labor or the C. I. O., to go down and find a half dozen or more discharged and aggrieved employees of a local labor union, who are picketing one of the business houses of Washington, take them out on the hills of Virginia, across the Potomac, and murder them, either by hanging, shooting, or decapitating, and that will not be a violation of the so-called antilynching bill proposed by the gentleman from New York and the gentleman from Indiana.

An ignorant, illiterate, black man, crazy with his animal passion, can violate the chastity and destroy the virtue of a sweet little white girl in her teens and then murder her and throw her lifeless form into the chilly waters of the Potomac, and by so doing compel the innocent taxpayers to pay his wife or next of kin \$10,000. But the wives and next of kin of the half dozen harmless, discharged laborers, aggrieved at the mistreatment of their employer, on one of the streets of Washington, receive nothing, but are left to struggle on in rags and starvation, lulled to sleep in the evening tide by the howl of the lonesome wolf of hunger at their doors.

We are indebted to the Honorable James Harmon Chadbourn, assistant professor of law of the University of North Carolina, for his analysis of antilynching laws existing in the States.

I place it in the RECORD as a matter of history and as information for the public which reads the record of this discussion. It is a very able presentation of the antilynching laws which now obtain in the various States of the Union. He made the following observations:

Antilynching legislation is broadly of two types. It is punitive or prophylactic, seeking on the one hand to punish when a lynching has occurred—on the other to anticipate and prevent lynchings. If, however, the philosophy underlying punishment is prevention rather than retribution, then the division is pragmatic only. At least it is convenient to make it for purposes of discussion.

What I now quote from this analysis by Professor Chadbourn relates to State legislation:

The main types of punishment in antilynching legislation are: (a) Punishing lynchings by making lynching and mob violence statutory crimes; (b) fining counties and cities in which lynchings and mob violence occur; (c) removing delinquent peace officers. Other and more sporadic ones are penalties for (1) failing to respond to an officer's summons for aid in protecting a threatened person; (2) violating safety zone established by officers; (3) failure on the part of the proper officer to prosecute lynchings; (4) refusing to testify in a lynching investigation; (5) publishing a printed or moving picture portraying a lynching; (6) failing to call special term of court. Often special procedures are set up to facilitate the infliction of these penalties, such as prosecution on information in lieu of indictment, prosecution by the State's attorney general, and provisions for offering rewards and hiring detectives.

In my State we have several of these provisions and have a great desire to put a stop to the crime of lynching.

The most familiar types of legislation designed to prevent lynchings by anticipating them are provisions for (a) employing military force to guard a threatened person—

I have done that myself on occasions as Governor of the State—

(b) changing the venue of his trial—

I have seen that done in my own State—
(c) calling a special term of court to try him—

That is frequently done—

and (d) removing him to the jail of an adjoining county.

That is resorted to almost universally in the South. The sheriff takes a prisoner to an adjoining county, perhaps 300 miles away, in order to save him from lynching, to defeat the purpose of the mob.

I wish to say to the Senators who are espousing this bill that if the bill is passed, which makes it possible for the sheriff of a county to be subjected to a penalty of \$5,000 or 5 years in the penitentiary, it will be found that no sheriff in any county in any Southern State will ever receive from another sheriff a prisoner who is being sought by a mob. If one sheriff should try to put the prisoner in the hands of the other sheriff for safekeeping he would find that that sheriff would refuse to take possession of the prisoner. If I were the sheriff of one county and the sheriff of an adjoining county asked me to take charge of his prisoner for safekeeping, does anyone suppose that I as sheriff would jeopardize myself and my family and my job by taking charge of the prisoner the mob was chasing? Certainly not. Let each sheriff take care of his own prisoner and put him in the jail in his own county.

The majority of this antilynching legislation has been enacted during the past decade and a half. Much of it has been sponsored by Negroes. This is true of the Ohio law, which was introduced by Representative H. T. Eubanks. The Minnesota law is reported to have been engineered by a Negro clubwoman, Mrs. W. T. Francis, of St. Paul, who persuaded Representative Theodore Christianson (white) to introduce it. H. J. Capehart, the colored member of the house of delegates, is reported to have drawn and sponsored West Virginia's law. To win his own party to it he reduced the county forfeiture from \$25,000 to \$5,000. The bill was fought by a Democratic minority. The Pennsylvania law was drafted by Representative Andrew Stevens (Negro). All the house Democrats are reported to have supported it. The single negative vote was a Republican one. The first use of this law was by the wife of a Klansman killed in a riot resulting from a Ku Klux Klan parade.

That was in Pennsylvania.

The New Jersey law is reported to have been passed at the behest of Negroes. While the Republicans claim credit for the bill's introduction and passage, it was approved by a Democratic Governor. A committee of colored citizens is credited with the Kentucky law. A Negro representative introduced the Nebraska law.

One of the most amusing things we see in American political life is how in the States where there is a handful of Negro votes Democratic and Republican politicians vie with each other to see which one can do the most for the Negroes in order to get the votes.

Quite often this legislation represents the sublimation of a militant antilynching sentiment aroused by a recent lynching which has shocked the local conscience. The Columbia (S. C.) Record, June 29, 1931, states: "Lynchings at Marion, Ind., last year caused the Indiana Legislature to write a drastic antilynching law, which Governor Leslie has signed." So also the lynching of Montgomery Godley at Pittsburg, Kans., on Christmas Day of 1902 seems to have prompted the enactment of the Kansas law in 1903. And doubtless some of the statutes enacted in the past decade are the answer of proponents of States' rights and local self-government to the post-war agitation for a Federal law to curb lynching. The press, for example, so considered the Virginia law.

I am informed that the State of Virginia has possibly the best law with respect to prevention of lynching and mob violence of any State of the Union. That is due to the efforts of our own colleague [Mr. BYRD].

Antilynching legislation has been repealed in at least two States. Alabama passed an act in 1868 penalizing counties in which mob murders took place. A special session of the Texas Legislature in 1897 created the crime of "murder by mob violence" and provided for the removal of peace officers delinquent in protecting prisoners taken from their custody and killed.

Lynching and mob violence under the common law have no technical significance. To the legal mind the terms connote a hodgepodge of numerous crimes—riot, rout, unlawful assembly, murder, assault and battery, etc.

"Lynching has no technical legal meaning. It is merely a descriptive phrase used to signify the lawless acts of persons who violate established law at the time they commit the acts. * * * The offense of lynching is unknown to the common law."

So much for the information contained in these splendid observations about State laws on lynching, but we are now

primarily concerned with the question of whether it is advisable, necessary, and possible to enact a Federal antilynching law to regulate mob violence and lynching within the powers granted to the Congress under our Constitution.

It shall not be my purpose to devote much time to a discussion of the power and authority of Congress to enact laws that are most certainly an invasion of the States' rights to regulate and punish crimes within the jurisdiction of the various States. This phase of the bill has been ably and unanswerably covered by the several distinguished Senators who have preceded me in this discussion.

I am informed that the Senator from Idaho [Mr. BORAH] contemplates, before this discussion is over, giving the Senate a very full and elaborate presentation of this question.

It is the contention of those who oppose the proposed bill that such a measure is clearly unconstitutional, and if and when, if ever, this bill before us is enacted, I make the prophecy that the Supreme Court, when and if the provisions of this bill are ever brought before it for decision, will promptly and unceremoniously strike it down and throw it out the window.

Then we who are opposing this legislation might be asked why we are fighting it so hard, and why are we going to stay here all year to defeat it if we believe that the Supreme Court eventually would declare it unconstitutional. I entertain the fear that it will possibly be a decade before a case would ever get to the Supreme Court. Before I get through with this presentation I will discuss with Senators how this measure is going to operate, with respect to its enforcement, and I think I will be able to show Senators that there is only a remote possibility of a case coming before the Supreme Court under this measure. If such a case comes before it, I am sure the Supreme Court will declare the measure unconstitutional, following the decisions of the past. There may be some phases of this bill upon which the Court has never passed. But I know there must be some members of that Bench who will hold it to be unconstitutional. I am persuaded to believe that all the members will help throw it out the window. Its provisions are repulsive and unthinkable to every man who has the slightest conception of our dual form of government. This Congress would have just as much right to pass a law to punish horse stealing, cow stealing, arson, chicken stealing, rape, gambling, murder, or fishing on Sunday as it would have to pass a law to punish the citizens of a State for violating the law in shooting or hanging some criminal that has violated some law of that State.

The State in the surrender of its power to the Federal Congress most certainly reserved the right to regulate its own internal affairs, enact laws for its own internal protection, and to punish violators of such laws.

Since the year 1891 various and sundry attempts have been made in Congress to pass a Federal antilynching law. Hon. David O. Walter, professor of Cornell University, has written a splendid history of these sporadic attempts to secure the passage of such legislation during the last 46 years. I am pleased to submit his observations, because I believe this information will be interesting to Members of this Senate and the country at large.

I quote from Professor Walter, of Cornell University:

A spectacular series of lynchings in Maryland, California, Missouri, and Tennessee last year (1933) called Nation-wide attention to an alarming increase in mob violence. When Governor Rolph, of California, openly condoned the San Jose affair, it was clear that the machinery of the State would not be used effectively to punish the mob. Under such circumstances it was only natural that besides the wave of denunciation of Governor Rolph there should be a demand for some action by the Federal Government when the States permit such activities. In response to this agitation, in the first 6 weeks of the recent session of Congress (1933-34), nine bills were introduced and were later under consideration by the Judiciary Committees of the House and Senate.

Such efforts, however, are not novel, but are only part of a series of attempts to have the Federal Government deal with this problem. The movement for a Federal antilynching bill received its first active support in the recommendation of President Harrison in December 1891, that Congress pass a law to protect aliens from mob violence. This was a direct result of the difficulties arising from the outbreak in New Orleans in March of that year, when 11 Italians awaiting trial were taken from the jail and lynched. Louisiana made no effort to apprehend or punish the

leaders of the mob. Since three of the victims were Italian citizens, their Government protested under the terms of the treaty of 1871. The United States was forced to reply that it had no authority even to speak in the matter, since under our Federal system the States had jurisdiction over such crimes. This failed to satisfy the Italian Government and strained relations ensued until Secretary Blaine offered compensation to the families of the lynched men.

That is, the Italians who had been lynched.

Following out the President's request, Senator Sherman, of Ohio, introduced a resolution instructing the Committee on Foreign Relations to draw up a bill to protect the treaty rights of aliens. Such a bill was submitted, providing that where acts which were crimes under the laws of the States were committed against aliens in violation of their treaty rights, the offenders should be prosecuted in the Federal courts; but that the statutes of the State should define the crime, prescribe the punishment, and regulate the rules of evidence, procedure, etc.

Senator Gray, of Delaware, led a powerful attack on the bill on the grounds that (1) it drew its authority from the treaty-making power, but treaties are subject to the same constitutional limitations as are laws and may not invade the field reserved to the States; (2) in adopting State laws there would be an unconstitutional delegation of the legislative power of the Federal Government to the States; (3) there would be different punishments for the same crime in each of the 44 States, according to the variations in State laws, which seemed inequitable; (4) such a law would give aliens an advantage over citizens, in the provision for removal of cases to Federal courts; (5) there would grow up a considerable machinery for the enforcement of Federal jurisdiction over the large number of aliens, paralleling State jurisdiction over citizens; (6) citizens would be subject to double jeopardy for the same crime; (7) the Constitution contains no specific grant of such power to Congress.

Senators Morgan, of Alabama—

Here was a southern man contending for an antilynching law—

and Hiscock, of New York, defended the bill on the following grounds: (1) Congress has the constitutional power to pass laws to enforce treaties; (2) the Federal Government was granted by the Constitution jurisdiction over cases involving aliens; (3) it has been a long-established practice for Congress to adopt State laws, even though they vary in specific content; (4) this subjecting of persons to trial by both State and Federal sovereignties for the same act has been held not to be double jeopardy; (5) this bill was limited in application to those aliens claiming a right under a treaty; (6) the bringing of these prosecutions in Federal courts was not essentially different from the right of Federal officers to remove suits brought against them from the State to the Federal courts. However, interest in the measure died down and it never came to a vote.

What interest Congress had in the lynching problem for a quarter of a century centered mainly on the protection of aliens in their treaty rights. Bills for this purpose were introduced in the Senate in 1893, 1899, and 1908, and in the House in 1900, 1902, 1903, 1905, and 1907; but, in spite of frequent Presidential recommendations, no action was taken until 1908. In December of that year the House passed a bill recommended by the Department of State. Its provisions differed from those of the earlier bill by providing that "if two or more persons conspire to injure, oppress, threaten, or intimidate any alien in his free exercise of any right secured to him under any treaty of the United States, or because of his having so exercised the same, they shall be fined not more than \$5,000 or imprisoned not more than 10 years, or both."

We can appreciate the wisdom of such a law.

Although less doubt of its constitutionality was expressed than had been the case 16 years before, the bill passed only by the deciding vote of the Speaker. In the Senate it was referred to the Committee on the Judiciary and there died. The proponents of the bill introduced similar measures in 1909, 1915, 1917, 1919, and 1920, but no action was taken. Finally the Dyer bill of 1922 included a clause for the protection of aliens, adopting the form suggested in 1892, and since then the protection of aliens has usually been combined with general antilynching proposals.

Until 1921 similar measures on behalf of American citizens, particularly Negroes, had even less success. Referring to the problem of lynching in his annual message for 1892, President Harrison urged, this time in the interests of the colored race, that so far as such acts could be made the subject of Federal jurisdiction—

President Harrison was aware of the constitutional limitations—

the strongest repressive legislation was demanded. But the Congress to which this message was directed took no notice of the President's recommendation.

Apparently the first suggestions for a Federal law to protect Negroes specifically against lynching were presented to Congress in 1892 in the form of petitions from the colored people of Riley County, Kans., and from the Religious Society of Friends of New York and Vermont.

In 1894 petitions for investigation of a lynching were sent to both Houses of Congress, and a resolution for such an investigation

was introduced into the lower house. In 1900 Representative White, of North Carolina, a Negro, introduced a bill for the protection of all citizens of the United States against lynching; and in the following year Representative Moody, later Associate Justice of the Supreme Court, introduced similar bills. In the same year, 1901, Senator Hoar, on request, proposed such a measure, while expressing doubts of its constitutionality, and later for the Committee on the Judiciary reported it adversely. Senator Gallinger's resolution in 1902 for an investigation of lynching met the usual fate and was laid on the table.

The subject did not again come before Congress until 1918, when race riots in Washington itself—

Perhaps Senators have forgotten the race riots in Washington—

and highly inflamed race feeling in the South and Midwest brought the problem once more into prominence. In 1918 Representative Leonidas C. Dyer, of Missouri, introduced a bill to protect citizens of the United States against lynching in default of protection by the States. Similar bills were introduced in the succeeding Congresses by Mr. Dyer, as well as by Representatives Moores, Gahn, Dallinger, and Anson. On October 31, 1921, Mr. Dyer reported favorably from the Committee on the Judiciary the so-called Dyer bill (H. R. 13), based on the various bills introduced, and similar in form to that proposed by Moody in 1901. Later proposals have followed closely the provisions of the Dyer bill. In its final form the bill (1) defined a "mob or riotous assemblage" as an assemblage of three or more persons acting in concert for the purpose of depriving any person of his life or doing him injury, without authority of law, as a punishment for or to prevent the commission of some actual or supposed public offense; (2) declared that any State or governmental subdivision which failed, neglected, or refused to provide protection for any person within its jurisdiction against such a mob should be deemed to have denied to such person the equal protection of the laws; (3) provided that any State or municipal officer who had the duty or possessed the authority to protect such person and who failed, neglected, or refused to make all reasonable efforts to protect him or to apprehend or prosecute those participating in such a mob, should be guilty of a felony and so punished, as well as such officers who conspired with a mob; (4) provided that those participating in lynchings might be tried in the Federal district court according to the laws of the State on evidence to the court that the officers had failed, neglected, or refused to punish such participants, or that jurors in State courts were strongly opposed to punishing lynchings; (5) made the county in which the person was lynched, or (6) in which he was seized, liable to forfeit \$10,000, to be recovered by the United States through its courts for the use of the family or dependent parents of the victim of mob action; and (7) incorporated the usual provision regarding the treaty rights of aliens.

It will be seen from this history that the pending bill has its antecedents, which were brought forward several years ago.

Opposition to this bill was vehement, almost entirely among the southern Democrats. In a series of speeches, obviously intended for home consumption, they attacked the policy and expediency of the bill. Much more cogent were the attacks on the constitutionality of the measure. Of course, if the Federal Government is to deal at all with the problem of lynching, it must be in pursuance of some grant of power in the Constitution. This the supporters of the bill attempted to find mainly in certain provisions of the fourteenth amendment:

"SECTION 1. * * * Nor shall any State * * * deny to any person within its jurisdiction the equal protection of the laws.

"SEC. 5. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article."

In other words, if the proponents of this measure cannot hang their hopes upon the fourteenth amendment, they know they have no hope of establishing the constitutionality of the measure in any court of the country; and I am afraid they are going to have to ask the court to stretch the Constitution more than Jefferson did when he made the Louisiana Purchase before they will ever "get by" with the fourteenth amendment to sustain this proposed legislation.

The opponents of the bill declared it to be an unconstitutional invasion of the reserve powers of the States, being an act of the police power. It was pointed out that in a long line of cases construing the fourteenth amendment, the Supreme Court has held it to apply only as a prohibition on State action, not on the action of individuals. Therefore the fourth section of the bill was clearly unconstitutional. Further, when sheriffs fail to afford reasonable protection to prisoners, they are usually violating duties imposed by State laws, and so cannot be considered agents of the State.

Hence, even if there is a denial of equal protection, it is not the State which acts. The prohibition of State denial of equal protection is not a grant of power to Congress to assure equal protection; the failure of a State to act to assure equal protection is not such denial; otherwise, the failure to punish any crime would amount to a denial of the equal protection of the laws (which is obviously not the sense of the fourteenth amendment). Habitual exclusion of Negroes as such from jury lists has been held to amount to a law denying equal protection. But while admitting

that equal protection may be denied by unequal, unfair, and discriminatory administration of executive power, Mr. McSwain pointed out that the failure of officers to protect prisoners is exceptional and not habitual. Further, he asserted that the penalty imposed on a county was a tax, and thereby unconstitutional as being laid on a subdivision of a sovereign State.

Those advocating the measure stressed the necessity of Federal legislation to punish the crime of lynching, pointing out how rarely any effective action is taken to punish lynchings and urging that some means is necessary of putting the resources of the National Government in play to prevent mob violence. On constitutional grounds, however, the supporters of the Dyer bill had more difficulty. They cited some of the same cases interpreting the fourteenth amendment to show that a State may deny the equal protection of the laws by administrative and judicial acts as well as by legislation; and that where a State does so, the Federal Government may pass corrective legislation. In addition, the failure of a State to protect persons within its jurisdiction is tantamount to a denial of protection. The failure of a sheriff to protect persons from mob violence, while a violation of his statutory duties, is still to be considered the act of the State. Also, the penalty on the county is a fine, not a tax, and so is not forbidden by the rule regarding taxation of Government instrumentalities. Since the United States may sue a State, it may sue a subdivision of the State and enforce on it the judgments of the Federal courts.

On January 26, 1922, after 5 weeks of consideration, the bill passed the House of Representatives by a vote of 231 yeas, 119 nays. Though the vote was not completely partisan, the opposition was mainly from the southern Democrats. Furthermore, it was a group of southern Senators who forced the withdrawal of the bill from consideration by the Senate, using filibustering methods which Senator Underwood openly avowed were intended to prevent a vote on it.

Since the failure of the Dyer bill in the Senate, there have been no successful efforts to pass such legislation in either House. With the exception of a committee report in 1924 on which no action was taken, measures introduced in 1923, 1925, 1927, 1929, and 1933 were merely referred to the Judiciary Committee in the lower House. A measure proposed in the Senate in 1925 was treated similarly.

That closes the review by Professor Walter, of Cornell University, of the attempt to pass a Federal antilynching law.

In the Seventy-fourth Congress on January 4, 1935, the late Senator from Colorado, Edward P. Costigan, and the distinguished Senator from New York, ROBERT F. WAGNER, both members of the Democratic Party, jointly introduced Senate bill 24. This bill was debated from April 25, 1935, to May 1, when the bill was replaced for consideration by the bonus bill.

In this connection it will be not only interesting but pertinent to this discussion to call the attention of the Senate and the country to the splendid and convincing observations made by Mr. Justice Black, of the United States Supreme Court, who at the time of the consideration of the Costigan-Wagner bill was a distinguished Member of this body. You will note that Mr. Justice Black maintained that the passage of such a bill would serve to increase lynchings, and would be harmful to labor. Here, in part, is what the then Senator Black had to say on the Costigan-Wagner bill:

I claim that the Costigan-Wagner bill could well be designated a bill to increase lynching—

I digress to observe that that is exactly what every Senator who represents a Southern State is telling you today. If you pass this bill, you will find out that our guess is right—

a bill to suppress labor unions, a bill to punish and prosecute sheriffs and peace officers who fail to perform satisfactorily the duties which owners and operators might claim they should perform in the case of a strike. I claim that it is not only a bill which would subject the sheriffs to prosecution in the Federal courts for neglect to protect persons from injury but it goes still further and would subject every sheriff in this Nation to a penalty not in excess of 25 years if he failed to exercise that diligence which the coal operators, for instance, thought he should exercise in order to protect their property in case of strike.

That is the Costigan-Wagner bill which Mr. Justice Black is discussing.

I do not claim that the Senator from Colorado and the Senator from New York intended to introduce a bill which would have that effect, but I assert that there never has been a self-respecting court in this Nation that could hold to the contrary of the views I have expressed with reference to this particular measure. I base that statement on the measure itself and on the report submitted by the Judiciary Committee, and particularly upon the brief in support of the report.

Therefore I assert that if the bill should become a law it would have an accentuating effect like unto that of the fourteenth amendment. There were many who believed that it was necessary to adopt the fourteenth amendment in order to protect colored citizens of the country from an infringement of their rights. Some

were honest and sincere in that belief. They believed that the amendment would serve to effectuate such a purpose. I submit that if at that time it could have been known that over a period of 10 years, out of 529 cases coming under the amendment, 509 would have been decided in a way to protect vested interests in their predatory special privileges in this Nation, the amendment would not have had easy sailing, even at that time.

The Costigan-Wagner bill is a lineal descendant of the measures which were enacted as laws in this country and about which the great historian Claude G. Bowers has written that magnificent book entitled "The Tragic Era."

There is nothing new in the proposal, except that today, to him who will read it, it is plain that it goes much further than its proponents in earlier days ever intended it should go, and that it is bodily placing in the Federal courts of the Nation, in courts presided over by men appointed for life, the unquestioned right and privilege of penalizing every sheriff, every peace officer, every judge, and even every Governor of every State, if he fails, forsooth, to be as diligent as the owners think he should be in protecting the property of those whose employees are out on strike.

I deny that this is an "antilynching" bill. The public, the great body of the citizens of the country, have been led to believe that we have in this bill a simple measure against lynching. I assert that if the bill should become a law, not only would it affect the so-called "14 lynchings" which occurred in the country in 1934 but I assert that in the first year of its operation there would fall under the terms of the proposed law more than a thousand cases arising all over the Nation which would not even remotely in any sense of the word touch a lynching.

Let me make an observation aside at this point. I am reading from Mr. Justice Black. I desire to say that some of the Senators who are such great friends of the labor organizations had better beware what they are doing in trying to pass the bill which is now pending.

Let us suppose, as has frequently happened, that a strike has occurred. An individual miner or trainman—and I have tried both of them on such charges—may be charged with injuring a strike-breaker. It is charged that three of them were present. Suppose a prosecuting attorney should decide the man was not guilty. Would he dare to tell the jury so? He would not. Would that prosecuting attorney dare to rise from his chair and tell the jury, "I believe that the killing of this miner was justified"? He would not. Why would he not? Because he would know that his Government, the Government of the United States, a democracy, had passed a law which subjected the prosecuting attorney to 5 years' imprisonment and to have the stigma of felony put upon his brow if he neglected to do anything he could to convict that man.

Let all who desire secure any political advantage they may think is theirs from attempting to force such a bill upon the American people. If it should pass, time will tell who was right. I state that there is no class in America which would be more injured by this bill than those who belong to the colored race, whose wages have frequently been so low as to be a crime against civilization and against decency, and whose wages have been raised more by organization of men than by any other method, and, practically, that has been the only method by which their wages have been raised, until the present administration began to secure the enactment of its legislative program.

In this connection I desire to state that it is my belief that the great majority of the intelligent, thinking, leading Negroes of the South are opposed to this antilynching bill. They know what it means. They know what its enactment will mean to them and to their race.

At this point I wish to insert in the RECORD part of an article by one of the professors of the Alcorn Agricultural and Mechanical College, State of Mississippi. I received it in the morning's mail. The title of it is, "A Negro Looks at the Lynching Bill."

A Negro of the South. Let me read from this contributed article by a leading Negro of my State:

It is a matter of common knowledge with students of moderately recent history that government of the States by the national administration at Washington in the interest of a particular group has been tried once, and with most disastrous consequences to the group in question. Much of the bitterness, animosity, and racial antipathy from which the Negroes at present suffer are the fruits of that unfortunate period of our social and civic life. And it is most unfortunate that just at the time when we seem just on the verge of a clearer understanding and of more mutual good will there should arise this specter of undemocratic threat of force to disturb the present growth and development of our erstwhile splendid promise of mutual respect and appreciation.

This is a Negro speaking from the South, an educated Negro, a leader among the Negroes:

In this fight there are two distinctly American ideals at war with each other; one, the right of every person accused of crime to be given a fair and impartial trial before a jury of his peers before condemnation or punishment; the other, the free autonomy

of the sovereign States in the exercise of all power and control over matters within their respective borders not specifically delegated by the States to the National Government.

But I have often reflected upon the unfortunate circumstances that whenever and for whatever cause a Negro was lynched, the batteries of denunciation from the Negro pulpit, press, and platform were almost invariably loosed, not in support of investigation to determine whether or not there was ground for the charge of unsocial behavior that had been alleged against the individual; not in condemnation of the act which had brought on the lynching; not in laying their services at the disposal of the forces of law and order to run down the guilty culprit and thus place the responsibility where it rightfully belonged, even if it was on a Negro; but always in unsparing denunciation of the illegal act of lynching on the part of the frenzied mob.

Here is a Negro who has the right conception of how to handle public sentiment, to control mob lynching, anywhere in this country. We know that it is a heinous crime, such as murder or rape, that is the cause of mobbing in a great majority of cases; and this Negro says, instead of denouncing the mob, instead of denouncing lynching, we should spend our time denouncing the crime which the victim had committed.

What we want is a cessation of this inhuman practice against the members of our helpless group; and I have often felt that the shortest road to that objective would be, instead of venting our rage against the mob, to go the other way around. Let it be known on which side we stood with regard to the alleged offense against the social order; place our services at the disposal of the forces of law and order; forget group identity in searching out and laying bare all the actual evidence within our possession or within our power to get; and in rendering an impartial judgment on all matters touching the case in hand.

This Negro goes on to say:

There are many encouraging signs of a growing sense of fairness toward the Negro throughout the South on the part of the ruling classes today. Many are the honest efforts being made by different agencies to help him find himself and take his place and live his life as a free man in this the most complex of any civilization of which the records of the past furnish any account. For all of this the Negro is duly grateful.

On his part he has many who have tried to deserve the confidence of the people by whose side under God he has been privileged to live and strive to work out his salvation. He has filled every schoolhouse that has been opened for his training. He has tried to fit himself into the scheme of American industry, working where he could to make an honest living for him and his. He has uncompromisingly made the supreme sacrifice for America and American ideals whenever he has been called. And for upwards of 300 years he has been standing at the bar of the American public conscience, in one way or another pleading for justice and fair play; and he is standing there today awaiting the response.

THE SOUTH MUST BE FAIR

I do not expect the antilynch bill to be passed during this session of Congress nor by this Congress.

This shows he is smart.

In the words of the immortal Lincoln, "Fondly do we hope, fervently do we pray" that this cup shall not be pressed to the lips of the South. For our own sakes we, the Negroes of the South, may well pray that this bill may not pass. But for the South this is the most portentous gesture that has been made at thoroughly undemocratic practices since Reconstruction days; and this is made by the Democratic Party.

He means by part of it:

The white South sets the standards of civic righteousness in the several States and prescribes the qualifications for participation in the discharge of civic duties. There should be no prejudice against the Negro in the discharge of those duties when he has met the prescribed qualifications. If they are not sufficiently high to sift out the unworthy on a fair and honest count, then they should be raised to where they will; and no power can prevent the whites from raising them if they will do so. The Negro is perfectly willing to meet any test prescribed for participation except the test of color, over which it is known that he has no control.

But whether this bill passes in the Congress or not, the South should take fair warning. The forbidding shadows of this ominous threat of the use of Federal authority in matters purely local should serve as a reminder to them that they cannot, in the name of democracy, continue to deny to others who have met every qualification prescribed, the right which they so vehemently claim for themselves in the name of that same democracy.

MUST MAKE HIS CASE

But again, whether this bill passes or doesn't pass, the Negro of the South must make his case with the South. His hope for anything like permanent and worth-while relief from Washington for his ills is a forlorn hope and is doomed to end in disappointment.

Oh, yes; we can go to Harlem, we can go to Chicago, we can go here in Washington, and we will find 9 out of 10 of the mulattoes, the quadroons, the octaroons, and all the rest of the mongrel breed, yelling for the passage of the antilynch bill, when the leaders in the South, where the law would be put into effect, in the section for which it is intended, are trying to eradicate the crime of lynching, for the protection of the whites and Negroes. The trouble is that a lot of these mongrels, mulattoes, and once in a while assisted by a worthless white man, organize into societies and fraternities and collect money from the colored race to carry on this kind of propaganda, to carry on this kind of campaign, and they are using the propaganda for political purposes.

I wish now to read from the newspaper Afro-American, in this connection. This is a Washington paper, and I read from the issue of January 22, 1938. On the front page is—The Week's Editorial.

Why not talk Senator BAILEY's language?

Let me acquaint the Senate with the controlling sentiment, the objectives, the feeling of the Negro organizations which are demanding the passage of the pending bill. This is what this Negro paper says in this week's editorial:

WHY NOT TALK SENATOR BAILEY'S LANGUAGE?

The North Carolina Committee on Colored Affairs this week addressed a letter signed by Chairman Hosea V. Price to its Senator, JOSIAH BAILEY, chief filibusterer against the antilynching bill.

It called attention to the fact that colored people are a minority in the South and are loyal to the Government.

It advised him that he is not representing the best interests of all his constituents and that he is appealing to class hatred and race prejudice.

I deny that for the Senator from North Carolina. I heard his speech and I read it.

The Senator probably knows this as well as the committee which, in our judgment, has an opportunity now to tell him one thing more.

This is a bunch of Negroes in North Carolina telling the Senator from North Carolina something:

The committee should advise both Senator BAILEY and Senator REYNOLDS that when they come up for reelection, all the committee's influence with both races will be used to defeat them.

That is the only kind of language BAILEY understands.

Mr. President, this is a Negro conglomeration talking to the Senator from North Carolina [Mr. BAILEY].

I continue reading from this Negro professor of one of the State colleges of Mississippi:

But again, whether this bill passes or doesn't pass, the Negro of the South must make his case with the South. His hope for anything like permanent and worth-while relief from Washington for his ills is a forlorn hope and is doomed to end in disappointment.

I repeat, the leading Negroes of the South do not want this bill, because they know what would happen if it were enacted. They know that hell's gates would be opened and that the difficulties of the situation intended to be corrected would be increased a thousandfold.

Listen to this:

He in the South must make his case with the South. Make it in industry; make it in thrift; make it in increased intelligence; make it in honesty and personal integrity; make it in known dependability; make it in better use of American opportunity; in visibly lessened crime, personal worth, social service, and civic righteousness. And practically all of these are within his own reach and subject to his own will. And when and if he makes achievement in these fields his first concern, no power on earth can long hinder him in the realization of all that he deserves in any other realm of his life. Accordingly, let the Negro's home, his church, his school, the Negro press, and all of the agencies that lay any claim to be working for the improvement of his status in this country and in the South become more sensitively conscious of their opportunity in the above-mentioned fields and center their fire on these objectives; and it is my faith that there will then be small reason to complain of denial of rights in any other matter that counts.

That is the conclusion of the best thought of the Negro race of the South.

Mr. President, I now quote further from Mr. Justice Black:

I realize that someone may say, "Well, there has been some kind of a recommendation of this bill by organized labor." That is

wholly immaterial. I make the assertion that if this bill should become a law, within 2 years from the date it was signed and went into operation there would be the greatest change in the position of organized labor this country has ever known in a like period of time, because this law would crucify organized labor, and the man in the ranks would know what was the matter.

Senators may vote for the bill in the belief that they are representing labor, but after the direful effects have been made known labor will not excuse those who vote for it for not knowing any better. They will censure those Senators because they did not know better, since they are the leaders on the floor of the Senate. That is why a man who attempts and dares to lead the people at any time should first decide whether a proposition is inherently right. He may go along with the crowd, and the crowd will follow, and he may be wrong; but when the crowd finds out that they are wrong, the crowd will get right and blame the leaders because they should have known better. So lead in the right way, though no one follows. After a while others will follow.

Justice Black said further:

I do not yield to any man on this floor in my loyalty to the ideas of good working conditions for the people of this country, white or black, or any other type. I yield to none in the desire to see that they receive an honest compensation for an honest day's work. If I had my way about it, I would make the minimum wages higher than they now are. I yield to none in my desire to see that they have good working conditions as to hours and the conditions in which they toil. But I state that nothing could be more absurd or more ridiculous than for people to come here at one session of Congress and fight and become elated over a victory which prevents the issuance of injunctions by Federal courts against strikers and at the very next session of Congress come and offer to pass a bill which makes a mob of any three or four strikers who gather together, as a consequence of whose actions somebody is injured or killed.

It is interesting to note the theory upon which the right to impose a penalty on a county is based. Several years ago, in reading Macaulay's History of England, I found the beginning of the idea of imposing a penalty upon a county. It came into England from Denmark. The idea at that time was that when the hue and cry was raised every citizen had to respond and make an arrest. There were few sheriffs and few officers charged with the duty of apprehending criminals.

When the Normans conquered England it was found, as had always been the case, that there was great antagonism between the Normans and the Saxons and the original natives of England. The result was that there were a great many Normans who were found murdered from time to time; and since they were in control of the country in those days, which some of us might now call primitive, a law was enacted which imposed a fine upon each hundred, the hundred being somewhat similar to the present township. The theory was that those citizens must apprehend the criminal.

That law did not work very satisfactorily, because it was found that in the poor hundreds usually one man or two men had to pay the entire penalty, men who had nothing whatever to do with the affair and knew nothing about it until after it had occurred.

That is exactly what is being sought in the pending bill.

Justice Black continued:

Since the law provided that the penalty must be imposed when anyone of French descent was found murdered, the result was that the bodies were mutilated, and it became impossible to determine, from the dead body, whether it was that of a Frenchman, a Norman, a Saxon, or a native Englishman. So that law was amended and there was used the *prima facie* clause which we have in the pending measure, and it was provided that if any dead body was found it should be presumed to be that of a man of French descent. Before very long it was found that did not work, some of the books stating that an individual would simply disappear, and no body could be found. So the law was repealed.

Just as there will be a demand for repeal if by some hook-a-ma-crook the pending bill shall be enacted into law. One of the great writers on law says that since those primitive times—he uses that term—a more equitable system of imposing punishment has been adopted, and that an effort has been made to punish those who commit the crime rather than to punish the innocent.

In the pending bill we find that a fine is to be imposed upon a county, and if the county is unable to pay, those who claim to be injured can levy on the courthouse or jail—and the hospital, I assume. They probably would take them all. If there happened to be a county hospital, of course, it would be far more important to have the judgment paid than to operate a hospital for the benefit of the sick and the needy. It would be far more important to have the judgment paid than to keep the doors of the courthouse open. Everything sinks into insignificance in the minds of those who have brought before the Congress a bill which is the lineal descendant of those pernicious measures which cursed the very people they were intended to benefit after the War between

the States. They were a curse alike to those against whom they were directed and those for whose alleged benefit they were passed.

Before I conclude my observations on this proposed legislation it is my purpose to analyze the provisions of this bill, its inconsistencies, its loopholes, its hardships, its unreasonableness, its absurdities, its ridiculousness, its monstrosities, its unthinkableness, and its foolishness. It shall be my purpose to show the abuses that will result in the attempt to enforce it, the futility of its enforcement and the certainty of its bringing about an alarming increase of the crime which it seeks to prohibit. I shall attempt to show that by passage of the bill the poor, deluded Negro leaders and the misinformed authors of the bill will do more harm to the Negro race than anything that has happened to it since the Civil War.

I propose to prove by analysis of the workings of this proposed law, that if it be enacted the sponsors of this legislation in and out of Congress will prove to be the worst enemies that the Negro race has ever had. We might as well be frank with each other and put the cards on the table. This is a race issue. This is a race question. This is race legislation. It has been brought here to the floor of the Senate because you are trying to meet the insistent demands of Negro lovers, Negro sympathizers, Negro leaders, and Negro voters. I do not hesitate in making the statement that if every Negro north of the Mason and Dixon's line had on yesterday been moved south of the Smith and Wesson line; this bill would not receive a dozen votes on the floor of the Senate.

The Republican Party for 50 years has fooled, promised, and bamboozled the Negro voters by every sort and kind of promise, and chief among these promises has been a Federal antilynching law; but, be it said to the credit of the Republican Party and its leaders, they have been too wise to ever try seriously to carry out this promise, and it is regrettable in the extreme that after the Democratic Party has been placed in power in both branches of Congress that a serious attempt has been made by the Democrats to pass this piece of legislation, which is in violation of our great dual scheme of government and in my judgment violates the very spirit and underlying principle of our great scheme of democracy.

Ever since the Negro was brought from the jungles of Africa by northern slave traders and sold to the southern planters, the Negro in our midst has presented serious problems to solve. His presence in our midst has been a constant source of trouble, always presenting problems to be met and solved, and will continue to present problems as long as the two races try to live side by side.

The first great problem that drenched this country red with blood in the war between the States over the question of his freedom was only the beginning of more and more trouble. The regrettable thing about this piece of legislation is that it is conceived and sponsored by people who know practically nothing about the race question in the South. This great black burden has been handled more successfully by the white people of the South than it was ever handled by any branch of the Caucasian race anywhere in the world when forced to live side by side with another race. We have made a good job of it.

The attempt to pass this unthinkable and unconstitutional piece of legislation, which violates every suggestion of our dual scheme of government, is only the forerunner of legislation that will be demanded from time to time by the Negro voters who in a great many States hold the balance of power. As long as the politician and office seeker needs the Negro vote to win his elections, the Negro is going to demand full pay for his political support by exacting laws to further his ambition for alleged protection and a full enjoyment of every right—political, social, economic, and otherwise. Give him this law and then he will demand something else.

Let me say to the Senate and to the country before I proceed any further with a discussion of this bill, before I express my honest and deep-seated convictions of the issues that this kind of legislation properly suggests, that in doing

so I do not want to leave the impression that I am unfriendly to the Negro or his race. I have been a candidate for public office in my native State, where a majority of its population is colored, for close on to 30 years. I represent the only State in the Union where the Negroes are in the majority. We have over 15,000 more Negroes in my State than whites.

I have held public office by the will of the majority of my constituents for nearly 20 years, and in all these years I have never sought to win an election by trying to arouse or appealing to race prejudices. I have been a friend to the colored man in my State, and I am glad to say that I enjoy his good will and friendship.

When I was elected to the Governor's office in 1916 for the first time, I received hundreds of letters and telegrams from the leading colored people of my State congratulating me on the fact that I had won the Governor's race without ever saying one word about the Negro or the race problem. I did not try to ride into public office on the Negro question. It is gratifying to me to know that I have enjoyed the moral support and good will of practically all the Negroes in every campaign.

The PRESIDING OFFICER (Mr. LEWIS in the chair). Will the Senator from Mississippi permit the Chair to interrupt him at that point to ask him a question?

Mr. BILBO. Certainly.

The PRESIDING OFFICER. Did the Senator say something as to the relative proportion of population between the colored people and the white people in Mississippi? Did the Senator from Illinois, who is now temporarily presiding over the Senate, correctly understand the Senator from Mississippi to say that there were 15,000 more Negroes than white people in the State of Mississippi?

Mr. BILBO. Yes. The latest census so shows, and I think the situation in that respect is getting worse.

It was gratifying to me to know that in some of my campaigns the Negroes held prayer meetings in their churches praying for my election because they knew that they had a friend in me. They had every reason to believe that I would give them a square deal, and I have not disappointed them.

It is true that a very few Negroes exercise the right of franchise in Mississippi. In fact, very few of them have any desire to take a part in the white man's political parties. Mississippi has been good to the Negro. Very few of our colored race have any desire to engage in politics in Mississippi. We give them justice in our courts. We provide schools for the education of their children. We have one of the best Negro colleges south of the Mason and Dixon's line, supported by the State, where the ambitious Negro girl or boy can secure a college education. We have several denominational and privately supported academies and colleges for the Negro. The solution that I shall advance for the handling of all the racial troubles that we now have and many more yet to come, may be considered by some rather drastic and radical, but, believe me when I say that the authentic history of 6,000 years proves conclusively that it is the only permanent solution to this great national racial problem.

I predicated my observations on this phase of my address by telling of the relationship that I as public official have had with the Negro, as their friend, because I did not want the Negro to think that what I am saying is because of any personal feeling of bias that I may have against the Negro or his race or his color. I am offering this as a solution, not only with respect to this bill but with respect to all the bills that are going to come up in years to come.

We today have about 12,000,000 Negroes in the United States out of a population of about 125,000,000. It is essential to the perpetuation of our Anglo-Saxon civilization that white supremacy in America be maintained, and to maintain our civilization there is only one solution, and that is either segregation within the United States, or by deportation or repatriation of the entire Negro race to its native heath, Africa.

We have today in round numbers 12,000,000 Negroes in the United States; more than 8,000,000 of the 12,000,000 live in

the South, and have lived there since the Negro was brought from the jungles of Africa and sold to the southern farmers. It has been the southern white man who has had to deal with and attempt to solve this great and perplexing black or race problem. As I have stated before, he has handled it well, without any help from the Federal Government or anyone else.

Of course, we all know the disgraceful story of what took place after the close of the Civil War and during that period known as the reconstruction days of the defeated South. This black burden was made heavy for the southern white man to carry by the policies adopted by the Congress, under the leadership of Thaddeus Stevens and other leaders, filled with war-engendered hate for the white South, as they sought to punish and humiliate the proud spirit of their Anglo-Saxon brothers of the conquered territory.

I may observe that I am sure that the wise, patriotic, and right-thinking men of the North, as they look back upon those gloomy, dark days of the South, do not approve of all that was done here in Washington at that time.

The carpetbaggers, or racketeers, from the victorious North flocked to the Southland from all parts of the North and the East and for profit and boodle, through false and foolish promises, aroused the poor, ignorant, illiterate, liberated slaves to turn against their former masters and real friends.

True to the spirit of the Caucasian or Anglo-Saxon race, the white men and women of the South, in spite of the policies born in the bitterness and hatred of a bloody civil war, strove to maintain white supremacy and the sacred ideals and institutions that only the white race has created and given to the world. True to their Anglo-Saxon brothers in all parts of the world during every period of history they strove to maintain the purity and integrity of their race; and notwithstanding all the schemes, devilment, and machinations of transplanted enemies within their borders and war-crazed enemies from the outside, they won a great victory, not only for themselves but for all the people of the United States. They maintained and bequeathed to their posterity and to the Nation a pure race and the true ideals and institutions of their race.

They drew the color line and said to the black man, "We shall be neighbors; we will live together in peace; we will be your friends; we will help you in your new-found freedom, but you shall not drag us down to your level as has been done in all history when the white man has attempted to live with the black man upon equal social and political terms, or where amalgamation and miscegenation have been tolerated between the races. You shall not cross the line we have drawn."

It is absolutely essential to the perpetuation of our Anglo-Saxon civilization that white supremacy in America be maintained, and to maintain this civilization the experience of 6,000 years of authentic history conclusively proves that we must do one of three things—first, draw the color line between the white man and the black man while we live together, denying to the colored man social and political equality, and under no conditions permitting intermarriage or miscegenation or amalgamation of the two races at any time or in any place.

Mr. President, this week I introduced a bill prohibiting marriages between members of the two races in the District of Columbia and all the possessions of the United States. The second thing is segregation of the Negro race in some chosen territory within the United States or on some islands of the sea, where none but the black man shall live; and, third, repatriation or the deportation of the entire Negro race to its native heath in Africa.

This third solution, in my judgment, will be the most certain, permanent, feasible, and satisfactory solution of this great racial and national question. I believe that the wise and influential leaders of the Negro race will join wholeheartedly in this solution.

Why should not the wise, sensible, thinking Negro want to go back to his fatherland in Africa—back to the Republic of Liberia, if you please, where millions of acres of rich and fertile lands have been already set apart and dedicated by the Republic of Liberia for the colonization of the American

Negro? Why should the black man want to live in the United States, where his race numbers only 12,000,000 out of 130,000,000; where he knows that he has been, is, and will always be looked upon as the inferior race; where he knows that he will never have equal opportunities with the white man; where he is, in every State in the American Union, whether it is admitted or not, discriminated against—socially, economically, and politically; where he knows that in every trade and profession and industrial plant he is the last or second choice? Oh, yes; he is permitted to vote in some States, but, as a rule, what does it profit him? With the exception of Harlem, New York, and Black Belt, Chicago, he is always in the minority. He has got to be a follower; he has got to play second fiddle in every game of life in this country. The politicians play with him, hold out false promises to him, bamboozle him, try to corrupt him. He knows so long as he lives in this country that he will be the drawer of the water and the hewer of the wood. Oh, there may be a few exceptions, but these exceptions only emphasize the almost universal condition of the black man in this country as I have described it.

Why should not the Negro everywhere want to go to the home of his fathers and establish a home on the rich and fertile lands of Africa, where he could live under a government of his own people; where there would be no discriminations; where he would have equal opportunities in all things; where his sons and daughters could dream dreams of great renown and success in a country of their own; where the president of the Association for the Advancement of the Colored Race, who has been hanging around this Congress all these weeks trying to pass this damnable antilynching bill could be elected President of Liberia and then have all the damnable lynching laws that he wanted passed for the alleged protection of the members of his race in the jungles of Africa; where he could impose a fine of \$10,000 upon the citizens of the jungles of Africa when his cannibalistic brethren mobbed and feasted upon the carcass of a member of his race.

It strikes me, if these Negro leaders have so much love, concern, and sympathy for their race that they would voluntarily organize and move the whole 12,000,000 American Negroes back to the land of Africa, where there is such a great opportunity for the advancement and improvement of the members of their race in that country, where they could bestow upon the illiterate and benighted members of their race there the imposed education and culture that have been given to them by the Caucasian whites in this country.

In this connection I wish to read from a Negro newspaper published in my State, the Greenville Leader, of the issue January 15, 1938:

"HITLER OF AFRICA" CASTS SLUR ON NATIVES IN VISIT TO BELGIAN CONGO

LEOPOLDVILLE, BELGIAN CONGO.—Natives here and throughout the provinces this week took sharp exception to the recent utterances of Oswald Pirow, minister of defense, and dubbed the "Hitler of Africa," on the occasion of his visit to the Belgian Congo. Reported purpose of his visit was to discuss with officials a plan to organize the white people in Africa in event of a native uprising, which he declared was likely if another European war started, and especially if Japan succeeds in driving western powers out of the Far East.

Reports quoted the minister of defense as saying: "In South Africa there can be no equality for natives. For us, South Africans who are living under a climate favorable to the whites and under which conditions a white man is able to work, the future of our race requires a radical separation between the races."

That is a reported statement of the Belgian Minister of Defense.

I wish to read another observation in this connection by Mrs. Ellie Walls Montgomery under the title of "A Black God." It is also published in the Greenville Leader of January 15:

Speaking to a group of Houston College students last week, Dr. H. H. Jones, self-sent missionary to Africa, stressed the opportunities which await trained Negroes in Liberia. Dr. Jones graduated from Jackson College in 1898—

That college is in the capital city of my State, Mississippi—and went to Liberia in 1902. Finding that he could do more effective work with a knowledge of medicine, he returned and

studied medicine at Meharry Medical College. He combines preaching, teaching, medicine, and dentistry—

Some Negro!

Dr. Jones said that the temperature in Liberia ranges between 64 and 98 degrees and that he plants sweetpotatoes 12 times a year—once each month. The country offers great opportunity for farming and business.

He insists on teaching Africans to think black and to this end was instrumental in barring from all schools textbooks to be used by persons up to the fourth grade and planned by the Hampton conference in 1927 all faces of white persons. He told an interesting story of an African woman convert who told the story of having seen a handsome black man (God) instead of the characteristic little white man seen by Negro converts of a generation ago.

Evidently that convert had seen Harlem's black "god," Father Divine, referred to by the Senator from Louisiana [Mr. ELLENDER] in his speech.

The report of Dr. Jones, from which I have read, is directly from Liberia. It states that the climate there ranges from 64 to 98 degrees and that sweetpotatoes can be planted every month in the year. I understand Liberia is a very fertile country, and I am sure that there is not a Negro farmer in America who would not be happier in this new territory.

Mr. President, there is nothing unusual, wild, visionary, fantastical, or extraordinary in my suggestion. It is exactly what Abraham Lincoln had planned to do and was striving to do when he was, unfortunately for the welfare of the South and the Nation, assassinated in the old Ford Theater by John Wilkes Booth. The South, as well as the Negro, lost their best friend in Lincoln's death. Just as surely as there is a God in heaven, if the Negro race is permitted to live side by side with the white man in the United States, in the years to come amalgamation is certain to follow, and, when amalgamation has been consummated, our boasted Anglo-Saxon American civilization will begin to decay and this Nation will cease to be a strong, virile, progressive leader among the nations of the earth.

Personally, I think that those who are responsible for the policies and success of our Government and those upon whom depends the perpetuation of our boasted civilization are dumb and short-sighted when they fail to meet this problem face to face and solve it aright once for all.

It was Pope who said:

Vice is a monster of so frightful mien,
As to be hated needs but to be seen;
Yet seen too oft, familiar with her face,
We first endure, then pity, then embrace.

The ravishing of our Constitution and the destruction of our dual form of Government by the passage of this so-called antilynching bill is only one of the many steps that we are foolishly and blindly taking that will lead us all on to that day when miscegenation or intermarriage between the races will be universally accepted and practiced, which will be the final step that will in time bring about the amalgamation of the white man with the black man, and then our doom is sealed.

Already 19 States, namely, Connecticut, Illinois, Iowa, Kansas, Maine, Michigan, Massachusetts, Minnesota, New Hampshire, New Jersey, New Mexico, New York, Ohio, Rhode Island, Pennsylvania, Vermont, Washington, Wisconsin, and Wyoming, have, by their laws, permitted the whites and blacks to intermarry and, to the everlasting discredit of the wisdom, patriotism, statesmanship of the Congress of the United States, even in the District of Columbia, on the banks of the beautiful Potomac, where nestles the Nation's great Capital, the seat of this great white man's country, negroes and whites are permitted to intermarry. I have introduced a bill to put a stop to this unthinkable, unpardonable, and disgraceful thing taking place here in the heart of the Nation's Capital. And let me express the hope that no committee will let this bill be buried in its files, but will report it out favorably or unfavorably and let the roll be called so as to give every Member of this Congress, both in the House and the Senate, an opportunity to save our Anglo-Saxon, Caucasian civilization for generations yet unborn.

Let the District of Columbia, whose laws are fixed by the Congress itself, hoist the banner of white supremacy and a white man's civilization high in the heavens as a shining model and example to the 48 States of this now glorious Republic.

I do not believe that white men who vote for a law which permits the races to intermarry personally endorse it. I do not believe that they personally would permit such intermarriage in their own families. If they are not willing to do that, why do they vote for such a law? I make the statement that any white man who would vote to permit whites and blacks to marry ought not to object if a Negro wants to marry into his own family. I want a roll call on the bill I have introduced before the present Congress adjourns.

Let the politicians pass this monstrous bill, originally sponsored by the ill-advised negro leaders of an admittedly inferior race, and then we will be called upon to pass a Federal law regulating marriage and divorce; in fact, such a bill has already been introduced in the House of Representatives, and is now pending. My God, are we going to wipe out every State line at one fell swoop? And then you will be called upon to put in this Federal marriage bill a provision legalizing marriages between the white and colored races in every nook and corner of the United States, and then will follow a demand for the repeal of Jim Crow laws, and for the enactment of a law to admit the colored man to the white man's barber shop, the white man's hotel, the white man's school, the white man's church, the white man's restaurant, and finally a seat at the table in the home of every white man in the Republic.

I understand the State of Pennsylvania has already enacted a law compelling every hotel, restaurant, and barber shop to serve colored people on equal terms with whites; they cannot be rejected.

I repeat, if we are going to preserve our civilization the races must be segregated, separated, and, best of all, the Negro must be returned to his fatherland in Liberia, Africa, where the black man will be happy in his own native land, where he can work out his own salvation, free from the discriminations about which he complains so much in this white man's country, and where he will have an opportunity to pass on to his own race the imposed culture, education, civilization, and training that the creative genius of the Anglo-Saxon civilization has given him during his sojourn in this country.

Mr. President, in advocating this solution for the troubles that now confront us and troubles yet to come as a result of the presence of the Negro race in America, I verily believe that the great majority of the Negroes of this country will gladly accept my suggestion. It is the thing that they want to do, for be it remembered that at the beginning of this depression, when the first appropriation was made for the relief of unemployed, 1,000,000 Negroes filed a petition with President Roosevelt, which petition is on file in the White House today, pleading with President Roosevelt to use a part of this fund—that is, relief money—in meeting directly such initial expenditures as the launching of whatever plans might be involved in being transported back and colonized upon the public lands of Liberia, which lands are held in trust for just such a colonization.

In other words, in advocating the deportation of the Negro back to Africa I already have a million names on a petition filed during the past few months in the White House, in which the signers are now asking to be sent back to Africa.

In thus solving this great racial and national problem the Government would not be pursuing a new policy, because we all remember that in the early settlement of America the Indians were segregated, and whole tribes were moved from one section of the country to another section, in order that they might have a country all their own, where they could live unmolested by the advancement and development of the white man's civilization.

We moved the Indians. We moved them by tribes, by tens and hundreds of thousands, from one part of the country to the other. Then why can we not move the Negro in the same way? Of course we can.

It may be of interest to you to know that just recently a great many Negroes of Chicago, Ill., organized a society for the purpose of creating the forty-ninth State, whereby all the Negroes of the United States could be carried to some chosen section, somewhere out in the West, where fertile lands are plentiful and opportunities are unexcelled, and there form a Negro State where none but the Negro would be permitted to live, where they would have a government all their own, with a Negro Governor, Negro Senators, Negro Representatives, Negro schools, Negro society, Negro everything.

That society was organized not long ago in Chicago. They are anxious to segregate themselves. The thinkers among the Negroes realize it, because they know they are not getting a square deal. They know they are not going to get a square deal until a few hundred years from now; but I will tell you in a minute when they will get a square deal.

Of course there would be some objectors; but I believe I am speaking the dream and the hope of the great majority of the Negro race in this country. Whether or not the Negro admits it, you know he is not happy. He is not satisfied. He is not contented. He knows that in no State or section, as long as he is compelled to live side by side with the white man, will he enjoy equal opportunities in all things.

The politicians may cajole the Negro, they may make nice speeches to him, they may promise him a great deal, especially in campaign years, but the Negro is getting wise. He knows he is not getting a square deal. He knows he is being discriminated against; and if he has enough sense to get out of the rain, he is ready to move.

The Negro is not free, nor will he be free until several hundred years from now—oh, maybe thousands of years from now—when he will be absorbed and amalgamated by the white race in this country; and when that time arrives he will have dragged the white man, with his creative genius, down to the level of the Negro, and the whole civilization of our country will fail because of its amalgamation and deterioration.

The solution I am now advancing for the antilynching law and all the delicate and dangerous problems we are yet to face in the future, because of the presence of 12,000,000 Negroes in the United States, is especially pertinent at this time, when we are appropriating billions of dollars of the peoples' tax money to take care of the unemployed of this country through the W. P. A. and other governmental agencies. The 12,000,000 Negroes of America could be deported at once, and I verily believe with their consent, without disturbing the economic conditions of the country—if at all, only temporarily—and without any danger of creating a shortage of labor in this country such as would prevent us from carrying on.

In the pioneer days of the country, when we had an army of unemployed, they were absorbed by the new and undeveloped territory of the West; but now we have no new territory to conquer and develop. We have no new fields for the adventurous spirit of the American laboring man or the unemployed. Our industrial centers are becoming congested. The age of machinery is enlarging our unemployment rolls. Labor organizations and governmental agencies have told us from time to time recently that from eight to fifteen million persons in America are out of employment. Deport our 12,000,000 members of the African race, and there will be a white man waiting for every job made vacant by such a deportation.

Of course, in advancing the suggestion of repatriation of the colored man, it is understood that in carrying out this suggestion, there would be no such thing as an immediate and wholesale exodus; but the removal would be gradual, and there would be plenty of time for the adjustment of the economic and labor conditions which such a removal would bring about.

Some of the labor racketeers and corporations of the South that have been profiteering on the low wages paid to the black man in the South might object, as they have

objected to the wage and hour bill, as is evidenced by the tens of thousands of dollars that have been spent and the trainloads of propaganda they have disseminated to create a sentiment against such legislation, and to influence this Congress.

I am told that on the night before the vote was taken in the House of Representatives on recommitment of the wage and hour bill the head of one corporation in my State took up the telephone and had practically every corporation in the State flood the congressional delegation of the State with telegrams against the wage and hour bill. Look at the vote there, and you will see the result of the propaganda.

Oh, yes; some of the racketeers and profiteers of Harlem, New York, and Black Belt, Chicago, and other large centers that have preyed upon the weaknesses and duplicity of the colored race for their own profit, may object; but I am sure I voice the real sentiment, feeling, heart, and mind not only of the great majority of the Negro race, but of all the white men and women, South, North, East, and West, when I suggest such a solution of this ever-perplexing problem.

Send these 12,000,000 Negro citizens of America back to their fatherland, and there will be a job for every white man and woman in America, and there will be no need for spending any more billions of the taxpayers' money to take care of the unemployed of our country and all will be quiet along the Potomac and the country will be well.

Our Negro race problem, arising from the presence and the increase of the Negro in our midst, must be solved sooner or later—solved in a peaceful, agreeable, and statesmanlike way, lest we find ourselves headed for real and serious trouble in the days to come. If the problem is not solved right—and I assure you that I have no desire to exaggerate—our boasted Republic will go the way of all other republics of the past; not only republics, but kingdoms and empires.

Let us face this problem and solve it now. We owe it to our posterity. We owe it to our race.

We also have an Asiatic colored problem, the yellow peril, and also one due to our ever-closer contact with the mixed breeds of Latin America and the importation of the hybrid and mongrel races from all parts of the world; but the Negro problem overshadows all others, both in gravity and in interest.

Scientific research has done much toward establishing the following propositions:

First, the white race has founded all civilizations worth while.

Second, the white race, remaining white, has not lost its civilization.

Third, the white race, become hybrid, has not retained its civilization.

It is regrettable that there is not throughout the world a unanimity of opinion among the various groups of the white race as to the proper attitude of the white man toward the colored man. This difference of opinion has not only resulted in harm to the white man, but certainly has never worked permanent advantage to the colored races. A close and extensive study of all world-wide race or color problems reveals the fact that the white race is divided into two schools of teaching with regard to the proper attitude toward the colored races. Those who live apart from the colored races maintain one attitude, while those who are forced to live side by side with the colored races entertain another attitude. This fact is demonstrated right here on the floor of the Senate.

Consequently, different policies are advanced and practiced in dealing with this difficult problem; and one of the strange facts is that there is a general agreement and sympathy of views and policies entertained by the white man who is separated from the other races, no matter in what part of the world he lives, concerning the treatment of the Negro or any other colored race; and there is a like agreement on the policies and treatment that obtain with the white man who is forced to live side by side with the Negro, whether it is the white man in the South or the white man in Africa, Asia, or anywhere else on the face of the earth;

That is one of the strange things in the world—how well they who dwell with the Negro agree upon the attitude that should be taken toward the colored race.

History conclusively establishes the fact that the white man and his government, in every attempt to regulate and control members of his race remotely, where such members of the race are forced to live side by side with the black man or the yellow man in colonial possessions, have insisted upon intermarriage, miscegenation, and amalgamation. This handling of the race problem has always resulted disastrously, breaking down and destroying the white man's culture and civilization. This can be thoroughly established by the attempts of England, Germany, France, Holland, and many other nations of the white race as they have tried to solve the race problem in every part of the earth in their colonial possessions, especially in South America and Africa, where they have established colonies of the white man in lands peopled by the red man, black man, and yellow man.

For many thousands of years the three great divisions of mankind—white, yellow, and black—existed substantially as they were at the dawn of civilization; and wherever any group of these divisions changed their abodes they carried with them whatever they had of intellect and culture.

Mankind grouped in race divisions has always been in a state of flux, moving, countermoving, conquering, amalgamating, and as a result no continent is today inhabited exclusively by any one race. Europe is not altogether a white man's continent; neither is Asia wholly occupied by the yellow man. Africa is not, nor in the past has it been, a black man's land. It can be truthfully stated that the white race in numbers predominate in Europe, the yellow in Asia, and the black in Africa, but in all of these old countries we find a large percent of the mongrel races resulting from the amalgamation of the definite types—whether white, yellow, or black—with other races. When two races come into permanent contact, there is always blood amalgamation, creating a mongrel race, and I am bold to make the prophecy that unless the solution I have already offered for the Negro race problem in America—namely, deportation—is religiously and uncompromisingly adopted, in the far-away future the United States will be dominated and controlled by a mongrel race. God grant that our wisdom and statesmanship will prevent the coming of that hour in the life of this Republic.

If there is any doubt about the amalgamation that is taking place, let anyone get into a car and ride over the streets of Washington. He will find one-third of the population Negroes, octoroons, mulattoes, quadroons, mongrels. If he will drive out to one of the Washington schools when school is letting out, he cannot tell whether it is a white school or a Negro school.

It is said that the white man is to blame for the intermingling. It is not the legal intermingling that is bringing about the amalgamation now; it is the illegal, illegitimate interbreeding that is taking place, and it is taking place rapidly. There is not so much of it in the South as there is in certain cities of the North.

Some historians claim that with the Caucasian race civilization first dawned upon the Nile and the Euphrates, and after many centuries its center was shifted to Greece, but, before Socrates and Plato taught, the Nordics had transplanted Caucasian culture along the Indus and the Ganges, and had penetrated through India to Oceania. Rome, Carthage, and Greece struggled for supremacy and Rome prevailed. After five centuries of conflict Rome's control or scepter passed to Germanic hands, and since that time, with the exception of temporary ascendancy by the Moslem Arab, Teutonic people have dominated the progress of the world.

This is a brief summary of the shifting of higher culture centers of the past 10,000 years, all of which owe origin and sustenance to Caucasian people.

The Caucasian race alone has proven its right and claim to superiority over all the races of the earth, because it is

only through it and its creative genius, which is not found in the black man, the yellow man, the red man, or any mongrel race, that progress, culture, and civilization have been made and maintained. Culture and civilization have not arisen in any portion of the world, in all the authentic history of the human race, where the white man has not been.

Historians are agreed that North Africa was occupied by the Caucasian people more than 10,000 years ago. The Egyptians of the great civilization were a white and not a colored race. The negroid features, so prevalent among the present inhabitants of Egypt, are the result of the white Egyptians' absorption of Negro blood. The Caucasians of Egypt, through thousands of years, pressed down upon Negro Africa and drove the Negro into the heart of Africa, his present location; but in this contact with the Negroes on the upper stretches of the Nile throughout this period interbreeding or amalgamation was going on between the white Caucasian Egyptian and the Negro, creating a mixed-breed population, which today inhabits most of Africa north of the Equator, some of this mixed breed migrating from the east coast to Capetown, at the lower extremity of the continent of Africa.

Such amalgamation is taking place in the United States today. Whites and blacks are interbreeding, not legally, but illegally, a fact which cannot be denied. People should open their eyes and see what is taking place. When such intermingling continues for a few hundred or a thousand years, there results a mongrel race, just as happened in Egypt. Of course, there are some public leaders who do not look beyond their lifetime. They do not care anything about the future. They are unctious, and happy, and satisfied, and they take care of their own existence.

As in the present day the French are recruiting Negroes in Africa to be used as soldiers, so in Egypt about 2,000 years B. C., we find the celebrated inscriptions of Prince Uni mentioning the Negroes who were levied and drilled by the tens of thousands for the Egyptian Army. From this contact with the Caucasian 5,000 or more years ago, the Negro in some degree acquired Caucasian culture. He was taught the use of the white man's weapons. He received the white man's domestic animals, and the Egyptian civilization was disseminated far and wide throughout Negro Africa. From Egypt there gradually spread through Negro Africa religious beliefs, the use first of stone and then of metal weapons, musical instruments, the art of weaving, and possibly canoe making or boatbuilding. So we see how the white men from Egypt drove the Negro from his home on the Nile deep into the heart of Africa, south of the Sahara, into the Congo Basin, and to the hinterland of Equatorial Africa.

The white race, or Caucasian, has three well-marked divisions—Nordic, Alpine, and Mediterranean. These three races of Europe constitute what is properly called the Caucasian or European race. The three, led by the Nordic, especially in modern times, have contributed to civilization all its higher achievements. The Nordics might be termed the aristocrats of the human race. As I have stated, the Nordics have given to the world its higher achievements, but this branch of the human race, with its creative genius, is always endangered when in competition with the colored races.

The Teuton, which is a branch of the Nordic race, has for 2,000 years played the chief role in history and in civilization, and it is for the preservation of this race, its ideals, its culture, its institutions, its civilization, I am making this plea today.

I know that the Negro is not responsible for being in our midst. We brought him to the shores of America, through the Yankee slave traders, against his will. But slavery is nothing new to the Negro race, because it has been visited upon them for the past 10,000 years. It brought great hardships on them in this country, but it is through slavery the Negro has had his chief advantage. It is true he has been worked, disciplined, taught, and saved by invading races of the Northern Hemisphere, as well as by the slave traders

from the New World. The Negro himself has from ancient times held the weaker of his race in slavery, and the mongrel races that surrounded the Negro in Africa have always enslaved him. The Portuguese started the slave trade in Europe by first buying slaves from their Negroid masters, rather than by slave raiding in the jungles of Africa. It is said that our Yankee friends were the first to practice capturing the Negro in his native jungles.

This country is now a white man's country. The Caucasians in America captured this continent from the red race, and now we have lost a great part of it to the black race. The question before us now is whether the white man, who has conquered a continent from the red man—and he paid a dear price for it—whether the white man, who has already excluded the yellow man, is still to share the continent with the black man.

I agree with the principle enunciated by Stephen A. Douglas, that "this Government was made by the white men for the benefit of the white men and their posterity forever."

The white men of this country must recognize our racial problem, as well as the economic problems which go hand-in-hand with it, for always when races are in contact the two problems are inseparable. The economic problem is to prevent the black man's standards from replacing those of the white. The racial problem is to prevent the black man from replacing the white. To prevent the black man from lowering the economic standards of the white, the latter may provide a uniform scale of wages for both races, but by providing equal wages for both races the lower race will have in reality a better chance to sustain itself and increase its kind. The higher race by saving itself economically will endanger itself racially. In order to save itself racially it must have economic advantage. The loss to one race will carry with it a corresponding success to the other. It is just as true that the success of one will entail a relative loss to the other. These are results of racial competition, from which there can be no escape.

All students of eugenics, anthropology, and ethnology, and all wise and far-seeing statesmen, agree on the proposition that the white and black races cannot live together without injury to the white race. The problem which confronts America today demands the repatriation or deportation of the Negro race. This is the one hope for the Negro. Complete segregation or deportation or a drawing of the color line is the only hope for the white race. Upon this one question there must be perfect unification and agreement among the whites of the South, the North, the East, and the West.

The Great Emancipator, Abraham Lincoln, said:

There is a physical difference between the white and the black races, which I believe will forever forbid the two races living together on terms of social and political equality.

After Lincoln was killed his party became smarter than he had been. They had arranged for political equality, but his party and some Democrats are now busy carrying out the rest of the program, providing for social equality.

Thomas Jefferson, another President, father of the Democratic Party, said:

Nothing is more certainly written in the book of fate than that these people are to be free; nor is it less certain that the two races, equally free, cannot live in the same government.

De Tocqueville said:

There are two alternatives for the future: The Negroes and the whites must either wholly part or wholly mingle.

I appreciate the almost Herculean task, because the results of not doing it are so far in the future, of trying to interest the Senate or newspapers or the American people in doing a thing which all history shows must be done. I repeat, the Negroes and the whites must either wholly part or wholly mingle; and if they wholly mingle, there will be amalgamation, there will be a mongrel race, there will be a Negroid race, which will cease to be creative, which will not be able to maintain or sustain the white man's civilization which has been produced in this country.

Madison Grant said:

If the purity of the two races is to be maintained, they cannot continue to live side by side, and this is a problem from which there can be no escape.

During the last 6,000 years of authentic history there are recorded the rise and fall of great civilizations, given to the world by the white Caucasian race, which have perished when black blood was commingled with the white. Stagnation results when the yellow mingles with Caucasian strains. The problem is before us, and sooner or later we shall have to solve it. Why not now?—

One of these races must drive out the other or be absorbed. The time has come when we must look the facts in the face and discard our sentimental point of view in favor of drastic measures. Unless some remedy is found, the Nation is doomed to mongrelism.

This is the conclusion of Madison Grant, one of our great national ethnologists.

If the history of 6,000 years has established the fact that our race is not to become mongrel, and that our civilization cannot be sustained and maintained by a mongrel race, then why not resort to any means for a solution which will save the civilization and save the race, especially when the solution we suggest is the best for the Negro himself? Over a million are now asking that they be sent back to Liberia.

Dr. William McDougal, professor of psychology of Harvard University, says:

I am convinced that the policy of voluntary segregation of the colored people of the United States is the only sound one. Whether the American Nation should provide a territory for them within its own borders or should seek to secure a suitable territory in Africa or elsewhere is a question upon which I have no decided opinion. If the latter can be shown to be practicable, it would no doubt be preferable. In any case, the American Nation owes a great act of justice and reparation to its African population, and that debt can in my opinion be discharged only by the expenditures of large sums of money and philanthropic efforts in the endeavor to carry through a wisely planned policy of segregation.

Mr. President, he urges deportation of the Negroes. The Government does owe the Negro race a debt, and in this gradual process of deportation back to the rich fertile land of Africa, the Negro's fatherland, the Government should be willing to stand the expense. The Government should contribute the money for the Negro's transportation, for his colonization there, and give him that attention and supervision we gave to the Cubans and that we gave to the Filipinos while they were getting on their feet, getting organized, their Government becoming systematized. I think the Government ought to do that in the solution of this problem.

Dr. I. F. Lewis, professor of biology of the University of Virginia, says:

The drag of the Negro on our civilization is blinked by the large class of falsely sentimental and is consciously ignored by many who see in him one who by his cheap and willing service helps to relieve the daily burden of living.

Persons will be found all over this country who will denounce the suggestion of deporting the Negroes to Africa, because they are profiting by the cheap labor of the Negro. The Negro is a good servant. They say, "We cannot part with our servant. We can get his cheap labor. We need it. We are making money on him." Such men and women are selfish. Such men and women think of their own personal comfort in life, and do not look forward to see what trouble lies ahead, and what will be the ultimate result of the attempt of these two races to live side by side.

As to the greatest danger probably of amalgamation, there is a conspiracy of silence.

In other words nothing will be said. Nothing will be made public. They will treat the question with silence because they are afraid to deal with the question. The Negro himself should take the lead in forcing this matter on the American public. He should make the move for deportation. I make the plea for the Negro as well as for the white race.

I shall now attempt to give Senators proof positive from the pages of authentic history, covering a period of over 6,000 years, that there are but two solutions to the problem arising from the contact of the whites with the blacks in the United States, or perhaps I should say two results, amalga-

tion of the races or the separation of the races. The one or the other will eventually be realized, whether we want that to happen or not.

If the judgment and opinions of Madison, Jefferson, Clay, Lincoln, Monroe, Jackson, Webster, Douglas, Grant, and a great host of farseeing scientists and statesmen will not convince Senators that we should proceed with the adoption of a constitutional amendment as proposed by Abraham Lincoln, which would give to Congress the power to repatriate the American Negro, then will Senators be convinced by the experiences of the past, that unless we effect a separation by segregation or deportation or repatriation that our civilization and this great Republic is certain to perish from the face of the earth in the journey of time.

The Senate and the country is indebted to the Senator from Louisiana (Mr. ELLENDER), who for 6 days discussed this question and gave to the country proof conclusive along this same line when he in detail developed what had happened in various countries.

Let us see what happened to the boasted civilization of Egypt through her contact with the colored races. All will admit that Egypt once boasted of her greatness and her civilization; in fact, it is said that civilization dawned upon the banks of the Nile. This civilization and culture were preserved and blessed the human race for nearly 3,000 years. On the upper stretches of the Nile and to the south of the Sahara was the land of the African Negroes, called the Nubians. During the reign of the Pharaohs and the marvelous progress of the white man's civilization for 3,000 years the Egyptians made contact with the Nubians and Negroids of the south.

Transportation on the River Nile was perfected when one of the Pharaohs built a canal around one of the cataracts, and then there was a constant stream of Negroes pouring into Egypt, and Egyptians, in turn, invading the Negro regions. Year by year the relationships between the white Egyptians and the Nubian Negroes became closer and closer. Like the white man and Negro in Pennsylvania and New York, intermarriage between the two races set in. Many thousands of Negroes from the Negro lands south of Egypt were brought in and became slaves, laborers, or soldiers for the Pharaohs. And in the course of time the once proud, progressive, cultured, highly scientific, creative Caucasian Egyptian people became thoroughly amalgamated with the Negroes, and this Negro blood made the proud Egyptian a mongrel, and progress in Egypt ceased. Stagnation overtook this great people and its civilization perished, reaching a climax finally in the elevation of a Nubian mongrel to the Egyptian throne, and thus the mulatto Taharka became a Pharaoh of Egypt. The sister of this Nubian mulatto became the divine head of the Egyptian religion and his Negroid mother became the Queen Mother Napata, before whom all bowed to the ground.

The strong, virile, Caucasian nation from Assyria defeated the mongrel nation under leadership of the mulatto Pharaoh, Taharka, and drove him from his throne. The Egyptian civilization was gone and the land lapsed into a semibarbaric condition.

Maspero, in his *History of Egypt*, makes the following statement about the southern provinces of the Egyptian Empire:

The large number of black women found in the harems of the rich, and even in the huts of the common people, quickly impaired the purity of the race even among the upper classes of the nation, and the type began to resemble that of the Negro tribes of Equatorial Africa. The language fared no better in the face of this invasion and the written characters soon became as corrupt as the language. The taste for art decayed; technical ability began to deteriorate. The morale and intellectual standards declined and the mass of the people showed signs of relapse into barbarism.

This sad story of the perishing of the Egyptian civilization by the amalgamation of the White Egyptian with the negroids of Nubia and Northern Africa, is the story that will be written of this Republic some day unless we are brave and courageous enough to solve our race problem and solve it right.

Weale, in his *Conflict of Color*, says that—

Where the white man has not absolutely cleared the ground of his colored rival, he may be bred down to a position of inferiority.

That always happens.

Let me now prove to the Senate how two great and glorious civilizations, established by the creative and inventive genius of the white Aryan race, were destroyed in India by the amalgamation of the white with the colored races of that great country—because these white Aryans failed or refused, in their stupidity and ignorance of what would happen, just as we today are shutting our eyes and turning a deaf ear to the proper solution of the great racial question in white America with the presence of 12,000,000 Negroes in our midst.

In population the Caucasian race leads the world with about 800,000,000 souls. Nearly 300,000,000 of these, however, are of the darker branches of the race and live in Asia, 220,000,000 of them being Aryans of India.

Many historians contend that the Aryan white race, or I might say the parent white race of all white races, originated in India, and it was there, it is claimed, that the first great civilization was established in practically prehistoric times.

I shall not take up the time of the Senate in giving Senators a narrative account of the journey of the white races of Europe into the land of India, but there is enough known about the history of this great country to show that when this branch of the white race invaded India many thousands of years ago and captured the mongrels there, they came into contact with this original white man's civilization which had decayed and was in its last stages as a result of the previous or original white Aryan or Caucasians having interbred with the yellow and black mongrels of that country.

India had two civilizations, and both of them were destroyed in the same way.

The whites, which produced the earlier and first culture, had become submerged in the black mass about them and the newcoming Aryan found that the "melting pot" had prepared India for an easy conquest.

These new Aryans, by reason of their race and culture, inventive and creative genius, became the ruling aristocrats of India. It is true their numbers were but small when compared with the mongrel and colored multitudes about them.

These conquering whites proceeded to build upon the ruins of their ancestors' former civilization a new, great, and glorious civilization, but they, as their predecessors, made the fatal mistake of trying to maintain their civilization and the purity of their race by resorting to laws, regulations, caste, and religion, just as we, in our weak, ignorant, and cowardly policies, are dealing with the Afro-American in our midst today.

Our revolutionary fathers, when they conquered this country from the Indians, took no chance with losing or even jeopardizing the white man's civilization by fraternizing, living with, or tolerating the red man in their midst. Our fore fathers expelled the red man. They drove him out of the country. They dared not live side by side with him. In this way has been maintained the purity of our race so far as the red man is concerned. Thus was prevented an amalgamation of the white man with the red man to any appreciable extent.

But when we found that the black man, as a slave, was profitable, we imported him from Africa and we planted him side by side with the white men and women of the country. As a slave we have set him free, and we are now engaged in a vain and foolish attempt, despite his admitted racial inferiority, lack of creative and inventive genius, to make him an equal of the white man socially and politically. Through political cowardice and the politician's desire to profit by his political support, day by day we are breaking down all the barriers—social, political, and otherwise—even to the extent of permitting the miscegenation or intermarriage between the white race and the black race.

England, to a large extent, has been responsible for this long, fatal, and disastrous policy of trying to handle the American Negro. Thank God, the English people have learned their lesson. They have seen the error of their way. But a great many of our American citizens are still woefully at fault, however sincere, in trying to solve this racial problem. The great majority of them are at fault because they do not know the Negro as he really is; they never stop to analyze his traits, his weaknesses, his limitations, and the dangers that are in the offing.

As some of our Christian missionaries in China and Africa and other parts of the world have unwittingly sowed the seeds of discord and racial friction in their attempt to spread the Christian religion, so right here in our country a great many church people have insisted upon a relationship and a treatment in dealing with and handling the Negro that are responsible for a great deal of the friction and misunderstandings between the whites and blacks in all parts of this country. Of course, they are sincere, but they have never understood; they have never dreamed of the great harm that they are doing to our great American civilization and to the white man and to the black man.

If our forefathers protected the purity of their race and prevented the break-down and failure of our Caucasian civilization by expelling the red man from his own country, then why should we hesitate to save our civilization for our children yet unborn by providing in a peaceful way, a fair and equitable way, for the return of the Negro to his fatherland? We drove out the Indian; we removed him; why not the Negro, when the Negro wants to go?

Such a removal of our 12,000,000 Negroes back to their fatherland would not only be a blessing to the white men and women of this country in staying all the troublesome problems that are sure to arise so long as the Negro remains with us—saving in the end the purity of our race; perpetuating our ideals, institutions, culture, and civilization; by preventing amalgamation if he stays—but it would be best for the Negroes themselves. The Negro cannot stand up against the competition of the Anglo-Saxon white man.

I care not what the well-meaning philanthropist may say; I care not what the ambitious politician may promise him; I care not what the negrophilist or Negro lover may say—the Negro will never have his place in the sun in white America.

Here is what is happening in New York today, and as time goes on this will happen in every nook and corner of this great Republic:

Assemblyman hits telephone-firm violation.

Andrews acts to curb discrimination against Negro workers.

This is from Harlem, New York:

(By Clara Ash, Daily Worker, Harlem Bureau)

Assemblyman William T. Andrews, vice chairman of the New York Temporary Commission on the Conditions of the Urban Colored Population, strongly requested the public service commission to file action against the New York Telephone Co. for violation of the State civil-rights law, resulting from testimony brought to light December 15, it was learned yesterday.

In the recent hearings held in Harlem, Peter D. Lowrie, auditor for the Bronx and Westchester division, and Walter D. Williams, telephone traffic manager for Manhattan, blandly admitted—

Let the Negroes in the galleries listen to this—

that the New York Telephone Co. systematically denies employment to Negro girls as switchboard operators or clerical workers.

"It shall be unlawful for any public utility, as defined in the public-service law, to refuse to employ any person in any capacity in the operation or maintenance of a public service on account of race, color, or religion of the person," Assemblyman Andrews said, quoting the civil-rights law, section 42.

Oh, yes; the Negroes have such a law in New York, but what good is it doing them?

He charged the company with "flagrant, persistent, and unmitigated violation."

Even though the clause does not have a penalty for the violation, Andrews declared that the public service commission is given full power to "act against" the Telephone Co. in this instance.

"The commission can conduct its own hearings," he stated, "and if the results justify it the body can issue a desist order against the company. It can be further acted upon, if the company ignores the order, by promulgating criminal proceedings through the district attorney's office."

"Such an anti-Negro policy on the part of the New York Telephone Co. must be stopped. The most effective way of stopping it is for the public service commission to do its duty when the facts are presented to them. So I am giving you this testimony so that you can cause to be instituted proper proceedings against the New York Telephone Co.," Andrews concluded.

I have finished reading the story of what the telephone company is doing to the Negro, even in Harlem, in New York, in the land of social and political equality, the home of one of the authors of the pending bill.

Yes, the poor, ignorant, deluded Negro of the South has been led to believe that when he crosses the Mason and Dixon's line and lands in the North he will be treated like white folks and will be the equal to the white in all things. But in nine cases out of ten he is soon deluded and ready for the return trip back to Dixie where the white man understands him; where the white man draws the color line in all things; where the white man is his real friend, and no one knows this better than the southern Negro, who has sojourned in the North for a little while. My advice to the southern Negro when he starts North is to buy a round-trip ticket.

All the trouble and demands upon lawmakers for protection and extension of political and social rights for the Negro do not come from the real Negro, the thoroughbred, but from the half-breeds and mulattoes who would, if they could, deny their own race.

It is exceedingly interesting to note with reference to the difference in color of the Negroes in this country—that a yellow Negro does not like a black Negro and a black Negro does not like a yellow Negro. I am told that here in the city of Washington there is a church where no one goes or belongs except white Negroes; black Negroes are not wanted. That is true throughout the country. No one is harder on his own race than is the Negro who has moved up just a step by the introduction of a little white man's blood into his veins.

As I was saying a while ago, when the white Aryans from northern Europe invaded India they strove to protect the purity and integrity of their race. They established caste—these were white folk—by dividing the population into four divisions—warriors, priests, agriculturists, and merchants, and then laborers. The first division was composed of those of the purest Aryan descent, while the last was made up mainly of subjugated mixbreeds with whom the Aryan was in immediate contact. There were even large groups of the conquered population whom the Aryans did not even honor with caste. These were referred to collectively as outcasts and recognized barely as human beings. Intermarriage of the pure white was positively prohibited.

How to preserve the white man's breed and at the same time utilize inferior peoples to do their labor was the problem confronting the Aryan. The answer to their problem was caste, enforced by law and religion. But with all their precaution the scheme did not work. The peril to the color line in India, as it is in the United States today, was not legal interbreeding of the races, but it was the illegitimate interbreeding that finally destroyed India's second great white man's civilization.

Drawing the color line will postpone amalgamation for a while but not for long.

In other words, we southerners are drawing the color line. We will not have amalgamation as soon as it will come about in New York, Illinois, and the North. The Anglo-Saxon of the United States, like his early kinsmen in India, will retain comparative purity for many generations, and this seems to satisfy a few of our American leaders today; but, remember, like our ancient relatives, we cannot always draw the color line.

Already we are breaking down the barriers; already in some sections marriages between the races are being legalized, and, too, we have a religion which, instead of opposing interbreeding with the colored races in our midst, is interpreted by a large number of whites in such a manner as to minimize or abolish the colored line.

I repeat, again, races dwelling in common territory will eventually amalgamate. If this statement be doubted, open your eyes and look over your country today. You do not even

have to leave Washington in order to be convinced. The whites and blacks, on all hands, legally or illegally, are gradually going through the process of amalgamation. In spite of all that we have done and have tried to do, there is happening in this country today just what happened in India, in Egypt, in the white colonies of Africa, and in the Latin Americas. So long as we live side by side amalgamation is as certain as death, and in the end it is death to civilization.

Yes; these cousins of ours in India, the white Aryans, resorted to law, religion, and caste to prohibit amalgamation. They created the most carefully devised agencies the world has ever known, but listen to me—the human intellect has never proven equal to the task of regulating sex relations. Separation is the only remedy; repatriation or deportation of the Negro is our only hope.

Oh, you may be satisfied with conditions today, but are you so unthoughtful of your children and your children's children yet unborn that you will, stupidly, ignorantly, or cowardly delay the solution that is imperative so that they will not be denied the blessings of our great, glorious, Anglo-Saxon culture, ideals, institutions, and civilization?

After several hundred years the second great white man's civilization perished in India through amalgamation. As they began to wake up to what was happening to their race and their civilization they became embittered. They became cruel, even to the extent of issuing an order to their soldiers to go out and slay, without mercy, the half-breeds of their country. But it was too late; the great majority of their population had become a race of mongrels, and, as a result, became an easy prey to the Nordics and Teutons of England who conquered them, and, though living thousands of miles away, are today ruling them, exploiting them, using them for their own profit and gain.

The amalgamation of the white with the colored races has destroyed the civilization of the Caucasian race not only in Egypt and India but in Abyssinia, Nigeria, Uganda, Mashonaland, Babylonia, Phoenicia, Persia, Cambodia, Ceylon, Java, New Zealand, Polynesia, northern China, Korea, Portugal, Spain, Italy, Greece, the Balkans, Mexico, Yucatan, Peru, and Haiti; and today the same curse of amalgamation between the white and colored races is threatening the destruction of the civilizations in practically all of the Latin Americas and many of the colonial white possessions in Africa. Civilizations in some instances may have been overthrown by armed invasions; but if the victors were of the same race as the vanquished, they assimilated the vanquished or were assimilated by the vanquished, and the world did not suffer such a permanent loss. For instance, Greek culture was appropriated by Roman culture, Roman culture by the Germans, and Holland's high place was well filled by the English.

It is not when the fit replace the fit that civilization suffers an irretrievable loss, but when the fit are replaced by the unfit. It is not when a creative people succumb to the forceful measures of a people of their own race that culture decays, but when a creative people are submerged by a non-creative people.

Someone has said that all the works of man worthy of record have, with few or doubtful exceptions, emanated from the large and much convoluted brain of the white homo caucasus.

Originally the Chinese, through the leadership of the Caucasian element in China several thousand years ago, had a wonderful civilization; but as they became amalgamated with the inferior races they ceased to be a progressive people over 2,000 years ago, and today, with their close on to 500,000,000 population, they seem almost helpless as the Japanese, who long ago adopted the western culture, seek to conquer and rule them.

China lost her leadership and civilization because she was blind to the certain destruction which overtakes any nation that permits amalgamation with the inferior colored races, which have never been shown to possess any inventive and creative minds.

Mexico and parts of Central America were once inhabited by a Caucasian strain of the human race. They developed a great civilization, the remains and ruins of which are now being daily brought to light by the archeologists. They, too, made the fatal mistake of becoming amalgamated with the inferior colored races and were an easy prey to the adventurous Spaniards who sought gold and adventure in a new world.

One writer, in discussing the certain destructive forces of amalgamation, has dared to prophesy that because on our southern-western frontier there are still a large number of culturally inferior people, wholly alien to our race and institutions, some day the United States will absorb Mexico and then will crumble to pieces.

Peru suffered the same sad fate as Mexico. If the white man in America is to remain white, he must draw the color line against all other colors. He certainly must deport the 12,000,000 Negroes from our midst. As long as the Negro remains there will be a color problem. Our future is clouded by such problems. They will not grow less but ever greater, and our children's children will bear them as intensified burdens. The history of all higher culture of the world will reveal that all those which are properly called civilizations may be traced in origin to the white race, while the history of the contact of races will reveal that the civilizations of the white man have never survived contact with the colored races.

Yes, as I have said before, the English, because of their negrophilism, at a great cost of blood and treasure, forced upon the white colonials of their own race, who were the custodians of civilization among the colored races, the theory of equality of the races, but after years of experience they were convinced that they were all wrong. Many of England's colonies, before they would share control of their governmental entities with the mixed breeds that had been brought about by intermarriage or amalgamation, quietly, gladly, and willingly relinquished their right to home government and surrendered all government to the British Government in England. By placing themselves under control of the British Crown the white colonials have eliminated the Negro as a political factor in colonial affairs. The colonials preferred to be wholly subject to a distant white man's government rather than share control with the mixed breeds and local blacks.

In this connection it is pertinent to remind you that the Romans, once rulers of the world, were bastardized with Levantine mongrels, and that the change in race gradually wrought a change in institutions is clearly recognized by Madison Grant in his book entitled "The Passing of the Great Race," in which he says:

In the last days of the republic, Caesar was the leader of the mob, the Plebes, which by that time had ceased to be of Roman blood. Pompey's party represented the remnants of the old native Roman aristocracy, and was defeated at Pharsalia, not by Caesar's Plebian clients but by his Nordic legionnaires from Gaul. Cassius and Brutus were the last successors of Pompey and their overthrow at Philippi was the final deathblow to the republican party. With them, the native Roman families disappear almost entirely. The abjectness of the Roman spirit under the Empire is thus to be explained by a change in race.

Let me remind you gentlemen from the North who are trying to invade the South with this monstrous and damnable lynching bill, in an attempt to tell us of the South how to regulate our conduct, when we have been struggling to solve and adjust the race problem as best we could since the Civil War and all the troubles that our northern friends gave us through the reconstruction days, that the source of nine-tenths of our trouble and friction with the Negro race does not come from the pure-blood Negro, because he understands his place in our political and social and economic set-up and is willing to occupy his place uncomplainingly, mindful of his limitations and inferiority. It is the mixed breeds and mongrels of the Negro race that have been the source of friction between the whites and the blacks in all the countries of the world. It was the half castes of Haiti who fomented the murder of the whites. The mixed breeds of Haiti, as the mixed breeds elsewhere, turned to the blacks

when refused equality with the whites. The pure Indian and genuine Negro give but little trouble to the whites anywhere. The aliens of unrest, the trouble breeders, the agitators, are the disgruntled and touchy mixed breeds. If you give the mixed breed equalization with the white, he will become a cruel oppressor of the black—the true Negro.

This was true in South and Central America, in Africa, and notably true in the United States in slavery days, when an increasing number of mulattoes, quadroons, and octoroons became slave owners in the South. They became the fiercest upholders of slavery, and were cruelest to their slaves. If you deny the partly black man full and unrestricted access to the white man's homes and daughters, you transform him into the bitterest enemy of the white man.

Were it not for the supersensitive mongrels of North America, there would be no clamor for equality of races, nor would there be any eminent Negroes. Booker T. Washington was a mulatto. Frederick Douglas was a mulatto. Bruce, Turner, Dubose, Miller, De Priest, White, Mitchell are not Negroes except in the sense that one drop of Negro blood in a white man's veins makes him a Negro. Were they white men, they would be obscure; but by social custom and by law they are recognized to be Negroes, and as such they stand at the head of their race.

When the mulattoes, quadroons, octoroons, and mixbreeds multiply and become more numerous, then you negrophilists or Negro-lovers will think, indeed, that Pandora's box has been prized wide open. They will make the politician squirm and dance at their very beck and whim. The offspring of the men upon the floor of the Senate today will hear the echo of the tread of mulattoes and mixed breeds here on the floor of the Senate as they will try to direct the destinies of a white man's civilization. In fact, by giving the Negro rein and a little assistance from a few ambitious carpetbaggers in reconstruction days, Mississippi did furnish a Negro Senator. His name was Bruce. His picture is on the wall up there. He was in the great steal of the Presidency from Tilden, you remember.

Yes; these things will come about; and do you contemplate with pleasure the day when you, by your stupidity and refusal to meet and solve the question aright, will have a mulatto President at the other end of Pennsylvania Avenue? It will not happen in your time; it will not happen in your children's time; but it will happen to your country, for which you are now responsible.

See what is happening in the Latin American countries, where the few remaining white men divide themselves into factions; where the whites, in their bitter enmity, seek aid from the mixbreeds. Step by step the white man is losing control of his governmental affairs, while the near-white leaders, leading the mixbreeds, take control of the affairs of the country.

This is where your troubles start. This is what is happening now, right here, in some of the nations south of you:

The Latin American nations have had the Negro longer than we have. The Spaniards and Portugese brought Negro slaves to their colonies in 1502. It is said that between 1759 and 1903, 642,000 Negroes entered Brazil, and between 1792 and 1810 Cuba received 89,000 Negroes.

As a matter of fact, it is claimed that as a pure black the Negro does not exist in the Latin-American countries or in Cuba today.

Australia is one of the few countries that have maintained white supremacy almost in perfection, and it is because they have immigration laws which forbid that any colored individual shall come into the country as a settler. Australia has dedicated an entire continent to the white race and its institutions forever.

I am urging now that we dedicate a great, fertile part of Africa to the Negro race. Let him have his country. The American people owe him a debt. We have the money to spend to pay his way, to colonize him, to get him organized, to get his country going. That was the dream of the founder of Liberia when it was organized into a republic. That was the dream of Abraham Lincoln when he was assassinated.

That has been the dream of every man who has ever taken time to think and try to understand the great racial problem that we have here because of a few time servers who never think beyond their own generation.

In the city of Washington a few nights ago newsboys were seen running hither and thither along the streets, lustily crying "Extra! Extra! All about the walk-out!" I wish to apologize to the Senate for bringing to their attention the dirty, slimy, contemptible sheet they were selling to the citizens and sojourners of the District of Columbia. The name of this paper is the Washington Afro-American. In boxcar letters of flaming red it proclaimed to the world:

Senators walk out on antilynching filibuster.

Then, on the first page, under the caption "Chamber Is Empty for BORAH Talk," it states:

Members of the Senate not only walked out on Senator WILLIAM E. BORAH during the filibuster against the antilynching bill which continues this week, but they did the same thing to Senator McKELLAR, of Tennessee, who took up the rest of the afternoon session Friday.

On the same page, under another caption entitled "The Week's Editorial," I find these lines:

Senators walk out on BORAH. The grizzled Republican was the "ace in the hole" of the small group of some 15 or more southern Democrats. Instead of remaining there to cheer the Idahoan, Members of the Senate fled out one by one until only 13 were left. It was the most devastating rebuke that Senators can administer, and BORAH felt it keenly. He deviated from his discussion of lynching as a question of law enforcement to discuss it as a race problem and to justify it as a punishment of rape. One by one Senators got up and left him talking to empty benches. Nobody asked him a question. The lion roared and the walls of the empty Chamber echoed the sound. He ended his address and sat down. There was no handclapping, no hurrahs. The speech was a "dud." Bitterly Texas TOM CONNALLY arose and addressed the Chair. Said he: "I suggest the absence of a quorum."

This is the account of the speech of the Senator from Idaho [Mr. BORAH] on the floor of the Senate in the Afro-American, a Negro paper published in the city of Washington, a speech proclaimed by the Caucasian press of the Nation as the greatest oration in defense of constitutional government and States' rights that has been delivered upon the Senate floor since the days of Clay and Calhoun.

On the same page of the Afro-American, under still another big-typed heading, I find these words:

The filibuster against the bill can be beaten if the voters back home continue to write and telegraph their Senators, urging them to stand fast and not give in to the filibuster. Therefore, it is of the utmost importance that a constant stream of telegrams and letters reach Senators in Washington urging them not to weaken.

To whom is this saddle-colored mulatto, whose intellectual status does not rise to the low level of a lousy ape, appealing? Echo answers: The negrophilist, the miscegenationists, the hybrids, quadroons, and octoroons of the city of Washington, the District of Columbia, the Black Belt of Chicago, and Harlem, in New York City. In substantiation of the truth of this declaration, I have only to quote from an editorial appearing on the fourth page of this same paper, which editorial is entitled:

Senator BORAH seeks revenge; BORAH is hitting back; he seeks revenge.

This diabolical fiend, it will be noted, does not do the distinguished Senator from Idaho the common courtesy of addressing him by the title he has won and has borne with becoming dignity for almost a quarter of a century. I quote further:

The fond ambition of the Progressive war horse in 1936 to become the Presidential candidate of the Republican Party was thwarted by the opposition of colored Republicans. But for this opposition the nomination would surely have been his. They told him plainly that he could not get the colored vote.

This brazen Hottentot and unfumigated troglodyte of the District of Columbia relegates to his color the power to name Presidential nominees and thereby control the political destinies of the Caucasian race and the American people. There can be no doubt, then, but what he is calling upon the hybrids of his race, strategically segregated, to arouse themselves lest they sleepeth. To quote further from the slimy

sewage that percolates through the columns of this disreputable sheet:

Supporters of the bill in the Senate are lining up their forces to speak for it, and many Senators already have written the speeches they intend to deliver.

Are we to infer that gentlemen upon the floor of the Senate who are the proponents of this abortive act are informing this tar-brushed Senegambian that they are writing their speeches, or is it to be inferred that these written and carefully prepared documents have been submitted to this ravisher of truth, this defamer, and public enemy of Caucasian supremacy for his approval and unqualified endorsement? I for one cannot concur in the implication which is here so clearly indicated.

I now desire to read for the information of Senators an editorial—or kind of editorial—signed by one Ralph Matthews, entitled "Watching the Big Parade." If any Caucasians now present in the Senate Chamber have any doubt about the attitude of this half-breed, mongrel, negroid race which we are permitting to grow up in this country, let me read to them this article, which appeared in the *Afro-American* on January 15:

THE CIVIL WAR IS STILL ON

It isn't until one sits in the gallery of the Senate that it is brought forcibly to one's consciousness that after a half century and more the Civil War is still being fought.

This is apparent on really every issue that arises, but is more pronounced when such legislation as the antilynching bill is being debated.

This bill may pass, only after the little colonels have worn out their larynxes, but from the trend of events in the early sessions of the debate Thursday and Friday it was apparent that the secessionists were still holding their own on all fronts.

This is an article by a Washington Negro feature writer, referring to the United States Senate and to Senators:

The reason for the almost assured success of the rebels is that they have a pretty solid front, wherein the union defenders seemed not only divided, but pretty darned unconcerned about the whole business.

That is a compliment to those who have been supporting the bill.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from Mississippi yield to the Senator from Tennessee?

Mr. BILBO. I yield.

Mr. McKELLAR. Is this article responsible for the notice we received this morning that there are to be night sessions next week?

Mr. BILBO. I had not reached such a conclusion, and I see no connection. But I read on, and we will find just what is taking place:

The northerners are definitely on the spot. All day Thursday and most of Friday Senator BOB WAGNER, of New York, was making a valiant effort to stave off the army of Robert E. Lee all by himself with the aid of Corp. HAMILTON LEWIS, of Illinois, lending what moral support he could from behind his bright red whiskers, but other than these the ranks of the Abraham Lincoln brigade seemed pretty thin.

But Alabama's Dixie Graves was in there every minute doing yeoman service behind the onslaughts of Florida's CLAUDE PEPPER, Texas' TOM CONNALLY, and their western ally, Idaho's BILL BORAH.

PEPPER carried the colors Thursday, asking such asinine questions as did the gentlemen from New York and Chicago seek to make the world safe for gangsters by exempting them from persecution when they bumped off a fellow racketeer.

The southerners constantly made an effort to becloud the issue by injecting the question of sectionalism.

The antilynching bill, they insist, is unfair because it seeks to curb the favorite pastime of the South, lynching, while permitting the North to indulge in its prohibition-time recreation, gangsterism.

In this very argument they expose their most vulnerable parts, because it is a known and accepted fact that gang rule was never really crushed in the bigger municipalities until the Federal Government through broadened powers of the Federal Bureau of Investigation took this evil in hand.

That is a news item. I did not know it had been crushed.

Cities and States, steeped as they were in politics and corruption, were incapable of coping with the situation. It was the long arm of Uncle Sam that put the Capones and the Dillingers behind the bars and in their graves.

In like measure, the southern communities steeped in prejudice and intolerance, are incapable of coping with the lynching evil and a detached, uncontaminated force, backed by public opinion and the integrity of the Federal Government is necessary for the stamping out of the lynch crime.

This is a Washington Negro talking:

It has always been conceded that the North is more intelligent, although less dogmatically astute, than the South in its handling of both the racial and economic problems.

Many subscribe to the belief that the Union's winning of the Civil War was an empty victory in the fact that it only latched on to a great nation a part it would have been better off without.

If the lines that divided the Union and the rebels had been left to stand and the Dixieites left to stew in their own juices, and admitted to the better half of the Nation through immigration channels only, the real America would be better off.

This is what the mongrels, the half-breeds, the Negroids, the octoroons, the quadroons, the mulattoes, who are behind this bill and who are demanding that the bill be passed, are saying about the South. I read on:

This goes for crackers of both the colored and white variety. If the darker citizens of Jeff Davis' nation had been compelled to remain where they were instead of streaming across the Union border to the freedom of the North, which they have contaminated, they would have probably gotten up guts enough by now to shed a little blood on their own behalf.

This is a mulatto Negro talking about the black Negro of the South. I read that again:

This goes for crackers of both the colored and white variety. If the darker citizens of Jeff Davis' nation—

That is, the South—

had been compelled to remain where they were instead of streaming across the Union border to the freedom of the North, which they have contaminated, they would have probably gotten up guts enough by now to shed a little blood on their own behalf.

But instead they took the long way out by running away. And because of the laxity of the North, which was too willing to forgive and forget, their cowardly masters came crawling across our borders also seeking to enjoy the hospitality of their betters.

The northerners beat their swords into plowshares and settled down to put together the Nation that was powerful enough to kick the best of Europe around in the last big scuffle, but the rebels neither stopped fighting nor tried to forget.

Every day in every way they grew worse and worse, sabotaging every scheme that the more intelligent element of the Nation conceived.

Today, in spite of a patronizing indulgence on the part of the North, they still have the poorest houses, the lowest wages, the worst conditions, the lowest educational facilities of the country.

In short, they are little more than a poor relative who was invited in for a visit and has tried to bring the whole household down to his standard.

What America really needs is another good war—

This is Negro doctrine, this is hybrid doctrine—

What America really needs is another good war to drive the die-hards back where they came from.

The war is on now in a sub rosa fashion.

Instead of using bayonets they are doing their scuttling by word of mouth, blocking wage and hour legislation and championing the cause of lynching, all of which should be abolished from a great democracy.

Sitting up here in the Senate gallery—

He is up there now—

one cannot help but feel that the northerners, because of their lethargy, are practically asking for the licking they are about to get.

Many of the upper crust think it all right to let their Dixie brothers have a little thing like lynching privileges, as it isn't really important, anyway.

Personally, I'm all for letting the rebels solve their problems all by themselves, encouraging the two races to annihilate each other as quickly as possible. It would be good riddance.

This would give us a chance to concentrate on making the North a better place to live in, where there is at least a semblance of hope for better things.

In other words the writer in this Washington Negro newspaper is urging a war between the blacks and whites in Dixieland in the hope that we will destroy each other, so that the high mulattoes, octoroons, quadroons, mix-breed mongrels of the North can have their way, and it will be a better land for them. That is the class the friends and supporters of this bill are catering to in the attempt to have the bill pass.

I bring to Senators' attention, especially, a paragraph appearing on page 4 of this newspaper, written by its star columnist of the District of Columbia. The caption under which this base mongrel vomits his bilious chunks of putridity is entitled, as before stated, "Watching the Big Parade."

The paragraph is as follows:

Alabama's Dixie Graves was in there every minute, doing yeoman service behind the onslaughts of Florida's CLAUDE PEPPER, Texas' TOM CONNALLY, and their Western ally, Idaho's BILL BORAH.

If this anthropoidal ape were to rear up on his hind legs south of the Smith and Wesson line, and speak the name of this beloved daughter of Dixie, without attaching thereto her proper title and insignia of respect, his own race would join in twining the sea grass around his neck, hanging him higher than Haman, and the foul birds of the air would feast upon his contaminating carcass somewhere in the swamps of Alabama.

I quote further from this mental prostitute:

The antilynching bill, they insist is unfair because it seeks to curb the favorite pastime of the South. It has always been conceded that the North is more intelligent than the South in its handling of both the racial and economic questions. Many subscribe to the belief that the Union's winning of the Civil War was an empty victory because of the fact that it only latched on to a great Nation a part it would have been better off without.

To quote further:

If the lines that divided the Union and rebels had been left to stand and the Dixieites left to stew in their own juices, and admitted to the better half of the Nation, through immigration channels only, the real American would be better off.

Mr. President, does not that statement cause your blood to boil in mutiny? Do these words convey to your mind any conclusion other than that the leaders of the Negro race aspire to nothing less than to place black heels upon white necks? To quote still further:

Every day in every way they grew worse and worse, sabotaging every scheme that the more intelligent element of the Nation conceived.

Listen to this and mark its significance. The bigoted brute says:

What America really needs is another good war to drive the die hards back where they came from. The war is on now in a sub rosa fashion.

In conclusion, he says further:

I am for letting the rebels solve their problems all by themselves, encouraging the two races to annihilate each other as quickly as possible. It would be good riddance. This would give us a chance to concentrate on making the North a better place to live in, where there is at least a semblance of hope for better things.

I wish I had some "thunder word" which would be printable properly to designate and at the same time befittingly describe this cowardly blackguard who would befool the southern people and deify the Negro rape fiend. Unfortunately there is no such word or combination of words that can be used, either by the grace of inflection, or poetic license, to answer my purpose.

I now direct the Senate's attention to a discussion and endorsement of the Mitchell bill, found on page 4 of this newspaper. The editor says:

The bill—

Meaning the Mitchell bill—

intended to prohibit the segregation of interstate passengers on account of race, color, or religion, introduced in the House of Representatives last week by Congressman ARTHUR W. MITCHELL, of Illinois, is significant. By its terms, Jim Crow is forbidden not only on trains, Pullman cars, buses, steamboats, and all other public carriers, but also in railroad stations, waiting rooms, lunchrooms, and dining cars. The Mitchell bill, if passed by Congress, would make suits in individual States unnecessary. It ought to receive Nation-wide support, even if it takes 25 years to put it over.

Mr. President, I may inquire, what Senator who today occupies a seat upon the floor of the United States Senate is so blinded by his prejudices, so befuddled in his mental operations, so incapacitated in the exercise of his intellectual faculties that he cannot see and, if seeing, will not understand that the underlying motive of the Ethiopian who has inspired this proposed legislation, the antilynching bill, and desires

its enactment into law with a zeal and frenzy equal if not paramount to the lust and lasciviousness of the rape fiend in his diabolical effort to despoil the womanhood of the Caucasian race, is to realize the consummation of his dream and ever-abiding hope and most fervent prayer to become socially and politically equal to the white man, and overthrow every barrier restraining him from the enjoyment of all the privileges bought by the blood of the Caucasian race. When once the flat-nosed Ethiopian, like the camel, gets his proboscis under the tent, he will overthrow the established order of our Saxon civilization. The Negro hates the white man and tolerates all other races having a semblance of color. He is unfitted by nature, by heredity, for peaceful and unharmed placement in the white man's scheme of civilization. Whatever traces of culture are to be found among the Ethiopians since the dawn of time have been imposed upon them by the white man, and that culture so imposed lingers with his race only so long as he receives its continual baptism, for, when left to his own resources, the culture of the ages will slowly trickle through his noncreative mind.

Getting back to the printed expressions of this Ethiopian mind that dwells within the shadow of the Capitol of the Nation, I wish to direct the Senate's attention to an editorial entitled "The Case for Japan." I shall read it in its entirety, but may pause for comment as I pass along. I quote:

It is plain now that the objective of the Japanese Government is to boot the white races out of China and set up an Asiatic Monroe Doctrine, through which Japan can control the destinies of the Far East.

And without in any way endorsing the Japanese line-up with Nazi Germany and Fascist Italy—

There is a thought. He does not endorse Japan's lining up with and seeking the help of the white man in Germany and Italy.

And without in any way endorsing the Japanese line-up with Nazi Germany and Fascist Italy, the Afro-American (that is the name of this paper) believes that Japan is fully justified in the foregoing objective.

For, if the United States, the strongest nation in America, is justified in setting up a Monroe Doctrine, Japan, now the strongest nation in the Far East (thanks to our Admiral Perry), is justified in setting up a similar doctrine in Asia.

There are other fundamental reasons why Japan is justified in her behavior in the present world crisis. Most white nations of the world have Japanese exclusion acts which forbid the immigration of yellow races. The United States, whose State Department is now all het up over Japanese bombing of the *Panay*, has been especially guilty of exclusion insults on the Pacific coast.

Right here I want the Senators from the Pacific coast to sit up and take notice, and all other Members of this body to catch the sarcastic reference to our State Department, which the writer claims is all "het up" over the bombing of the *Panay*.

Continuing to quote:

While barring Japan from entrance into our own country, American and European nations have gone to China, undoubtedly a Japanese sphere of influence, parceled out territory over which fly our flags, set up extraterritorial courts to try their own citizens, taken control of the industrial and commercial resources of China, and exploited the Chinese for the benefit of the intruding nations.

What an indictment is this against the Government of the United States. Exploiting China, a yellow race—a race not purely white, for the benefit of the people of the United States, a white democracy.

And to quote further:

The situation might have a different tinge if China, like Japan, had set about the business of developing her own defenses against aggressor nations. But the Chinese have become a kind of "Uncle Tom" of Asia. Their leaders have kowtowed to the white exploiters, licked their boots and allowed themselves to become footstools of western conquerors. As we see it, Japan is kicking China in the pants to make it stand up straight and be a man.

Let me here make this observation. When the United States become a little more Ethiopianized, when the Negro has grown from 12,000,000 to 100,000,000, and is given equal political and social rights in this country, I doubt not that if and when that unfortunate day arrives and an estranged relation should develop between the United States and Japan or any other race not of the Caucasian strain, you will find

the influence of the Ethiopian in America on the side of the colored races of the foreign countries.

To quote still further:

Japan's alliance with Italy and Germany may seem unfortunate—

How deeply does this Negro deplore this alliance with the white man—

but since most of the democratic nations have their hands in China's pie, there were no other alliances for Japan to make.

In the World War Japan fought Germany in the Far East. There is no reason for anyone to suppose that the sons of Nippon agree with Nazi ideology. There is every reason to believe that they do not.

The extreme love of Japanese for their country and their ruler shows that the people there must have a more satisfactory, if not more democratic, form of government than we have in some of the so-called democracies.

What sort of loyalty to the principles of democracy, democratic ideals and ideology is here exemplified by the statement that the Japanese have a more satisfactory form of government than the government under which the writer of this editorial, a confessed traitor, lives and moves and has his being through the sufferance of his misguided superiors. If the hybrid who penned the lines I have just read lived in a Southern State and dared to print these words of treason and distribute them among the citizens thereof, I doubt not that his mongrel carcass would mar the beauty of a southern magnolia tree before the ink upon his damnable sheet had time to congeal. Yet, within the very shadow of the dome of this Capitol, this mental pervert, the shining avatar of social and political equality, of the intermarriage of the two races, plies his treason trade and promotes, with all his might and main, the advent of another tragic era in this country.

Mr. President, this mulatto mongrel, coated with a thin veneering of a civilization imposed upon him by the white man, utilizing a freedom of the press conceived by the brain and bought by the blood of the Caucasian—this clay-bank colored Senegambian, through the possession and operation of a printing press, given to mankind by the creative genius of Johann Gutenberg, of the German race, with newsprint manufactured from the tall pines of the Canadian forests, by processes that the inventive mind of the white men perfected, with the use of a language of Caucasian origin and to which he has made no contribution; this cursed blight upon the District of Columbia, looking wiser and knowing less than a stuffed prophet, lays this scurrilous sheet, the Afro-American, in the laps of United States Senators, and unmolested and unafraid, impugns the motives of United States Senators, and insults the southern people who took him as a savage, running naked in African jungles, worshipping dried lizards and subsisting on his own lice. In denouncing his benefactors, he is but running true to racial instinct. Nothing better, however, could be expected. You cannot gather grapes of thorns nor figs of thistles. You can not make a purse out of a sow's ear or a gentleman out of a knave or one of Nature's noblemen out of a Negro. His mentality is in no wise akin to that of the white man.

The editor and publisher of the Afro-American, along with all others of his race, owes more to the South, the Southern white men, than to any other class of people on earth. They have taught him the use of tools; they have made accessible to him schools and colleges, and all the avenues of knowledge. They have lifted him out of the bogs and sloughs of savage ignorance, and have supplanted his fetish worship of things that creep and crawl with the Christian religion. They have built hospitals for his sick, pulpits for his preachers, and tried to teach him the ways of righteousness and that the paths of sin lead to death. In the olden days there was a soft spot in our hearts for Uncle Remus and the old black mammy with her crooning lullaby and her corn-cob pipe; but those old darkies have passed away; they live alone in memory, and we are now confronted, not by these faithful, obedient servants, but by rising generations of discontented and trouble-making hybrids, mulattoes, quadroons, and octoroons, seeking the elective franchise and conniving with deluded whites, negrophilists and mis-

cegenationists, for the balance of power in determining political issues and the solution of the race problem on the grounds of political and social equality and the intermarriage of the two races.

I hold that the presence of the Negro race has been the greatest curse that has ever been visited upon the South. The shadow of the Ethiopian that has been cast across the white fields of Dixie, has been darker and more ominous than the fatal night that passed over Egypt. He has caused privation, suffering, and shame beyond the power of omnipotence to measure. He has cost that section of the country more than all the wars it has waged and added a desolation and retardation of growth and development beyond that yet accomplished either by flood or fire. All the plagues of Egypt were not a greater curse to that country than the presence of the Negro has been to the South. The time has been when no white maid was secure beneath her father's roof. The Ethiopian is the one obstacle that has stood in the way of industrial development of the South. A land so blessed with natural resources; a land so favored with soil fertility; a land renowned for its genial climes; a land threaded with rolling rivers and laved and lashed by the warm waters of southern seas, is preeminently fitted by every known requisite for unsurpassed industrial development; but the Negro has been the bar-sinister against any form of industrial progress. I wish to say to you gentlemen from the North, more especially those who profess so much interest and concern in the welfare of the Negro race, that you need not have any fear of the South's becoming your industrial competitor so long as the Ethiopian maintains a population in that section almost the equal of the white. The fear that you have recently professed to entertain that northern industry would move to the South because of the cheap labor in that section may be dismissed. The wage and hour bill, which so many Southern gentlemen oppose on the theory that it will be detrimental to the industrial development of the South when enacted, as most certainly it will be, will have no appreciable effect in retarding the growth of the South along industrial lines.

It is possible that some improvement may follow, because when industry is forced to employ higher-priced labor it will select the white man instead of the Negro, leaving the Negro to resume the role he has occupied in the past, becoming laborers on the farm, hewers of wood, and drawers of water. No country can become industrially prosperous whose Negro population approaches anywhere near its Caucasian population. The South, at this time, is exerting a herculean effort to develop industrially, and the North has become somewhat jittery over the possibility of losing some of its industries on account of this aggressive movement of the South. Let me say to gentlemen of the North you may keep your smokestacks, you may keep your industrial plants, you may hold fast to all that you possess in industrial wealth and equipment, but send to us your white men and women—men and women who are bone of our bone, blood of our blood, and flesh of our flesh—men and women who are of pure and unadulterated Caucasian extraction, and let us give you two Negroes for every white that you send us until we have sent to your industrial centers the last Ethiopian that treads upon southern soil—the last black heel that crushes clods in a cotton row—and I will show you that in less than a century the Southland will grow and develop into the greatest industrial region beneath the ridgepole of heaven, while your smokestacks will have fallen and crumbled into dust and the owls and the bats will have made their nests in the windowless remains of your idle factories.

As I myself and others have endeavored to show from a painstaking review of the nonachievements of the colored race and the effect its presence has had upon the greatest civilizations of the world, it is the consensus of the leading ethnologists and anthropologists and all others who have given scientific study to race questions that the Negro race is utterly destitute of a creative faculty—he just does not possess it—and that he is incapacitated, through hereditary inhibitions, to produce or originate or make contribution to

a creative culture. One drop of Negro blood placed in the veins of the purest Caucasian destroys the inventive genius of his mind and strikes palsied his creative faculty. It is true the Negro can use, with some degree of dexterity, the machine created by the Caucasian; he can use his plow, his gun, his automobile, and perhaps his flying machine; but he can never add anything of improvement to what already exists. The Caucasian alone is endowed with the creative faculty, in its highest efficiency, if, indeed, he is not sole heir to all creative culture. Therefore, it may be stated that the Caucasian race can continue to progress, to advance through the exercise of its God-given creative faculties so long as his blood is not tainted, deadened, atrophied by the lifestream of the Ethiopian. Our civilization can be perpetuated and kept rising to new heights of achievements only by maintaining and forever keeping inviolate and unsoiled the purity of the Caucasian blood. The exchange that I propose of the 8,000,000 Negroes in the Southern States for 4,000,000 white men and women in the North would forever settle the race problem and all of its attending evils in the South.

Though it were to cost a half billion dollars to close the deal, I do not doubt that in 5 years following its consummation, there would be added ten times that amount to the taxable values of the Southern States. The vacancy caused by the exodus of the black cloud that has hung above our heads for almost a century would be filled with worthy, respectable, white immigrants, who have, for all these years, avoided the South because of the Negro. Whatever backwardness in modern progress may be charged to the South as compared with other sections of the country, is due exclusively to the presence of the Negro race and by that presence, its unfailing and eternal tendency to hold back and retard the onward march of our southern civilization.

The antilynching bill, before this body for consideration, has running through it one underlying purpose. Those who support it and who have participated in its drafting have in mind that same underlying purpose. Is that underlying purpose to humiliate and insult the South? No; but the bill does that. Is that underlying purpose to prevent the recurrence of lynching in the South to a less degree than in the past, or to eliminate it entirely? No, it is not. The underlying purpose, frankly stated, is to control votes. If you will deprive the Black Belt of Chicago of the right of suffrage; if you will strike the ballot from the black hand of Harlem, I dare say this filibuster would end and the antilynching bill would be withdrawn from further consideration before the sun goes down today. What purpose other than this could Democrats of the North—men of the South's political faith—have in imposing upon the people of the South this injustice? Upon what other theory and for what other cause do they express so much concern and sympathy for a black brute who dares to violate the purity and sanctity of an Anglo-Saxon home. Upon what other principle or statement of facts do they show such kindly consideration for the black shadow of lust and brutality that has sought to imperil the lives of the daughters of the South? Why is it, pray tell me, that gentlemen of the same political faith, faithfully adhered to by the solid South for more than half a century, insist upon showing such deep interest in a beast from the African jungles that has been transplanted into southern civilization like the "worm of the Nile" between Cleopatra's glowing breasts? The most charitable reason that I can assign for the action of those Democrats in the North giving support to this measure lies in their belief that the Negro holds the balance of power and by his vote can determine their defeat or election. If gentlemen of the North want to stamp out mob violence in the South; if they desire to bring about the dethronement of Judge Lynch, why do they not attack the crime, or rather pass some law that would check the crime that causes mob violence? Why do they not advocate a bill making it a capital offense to commit rape; place the strong arm of the Government behind its enforcement, and bring to sure and certain punishment every criminal, be he black or white, who commits the crime of rape. The trouble with such a law, I concede, is that it

would not appeal to the Negro vote north of the Mason and Dixon's line.

Mr. President, I wish to call the attention of the Senate to the Washington Daily News—I have a copy of it in my hand—printed August 10, 1937. I find an article by the United Press from New York entitled "One Arrested Every 6 Hours for Sex Crimes; Mayor Demands Action." Let me read what the United Press has to say about it:

Mayor F. H. LaGuardia took charge today of a drive to end a wave of sex crimes against minors. He learned that a man was arrested in New York City every 6 hours for some offense involving sexual depravity.

LaGuardia suggested incarceration for life of insane sex offenders after Police Commissioner Lewis J. Valentine confessed he did not know how to halt depredations which have resulted in 1,460 arrests and the murder of two small girls this year.

Police records showed that not a day passes in New York without at least one person being arrested for impairing the morals of a minor, indecent exposure of person, attempting criminal assault on a child, or abuse of a minor. They showed that since 1931 six girls in an area of Brooklyn with 1,000,000 population, had been killed by sex fiends; that 1,460 arrests had been made this year with few of the offenders going to prison.

That is the account.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. BILBO. I yield.

Mr. CONNALLY. Does the article state that in New York City alone there were 1,460 arrests in a single year for sex crimes?

Mr. BILBO. I will read the statement.

They showed that since 1931 six girls in an area of Brooklyn with 1,000,000 population had been killed by sex fiends; that 1,460 arrests had been made this year with few of the offenders going to prison.

Mr. CONNALLY. Against that, I should like to call the attention of the Senate to the fact that there were only eight lynchings in the entire United States last year.

Mr. BILBO. I appreciate the contribution of the Senator from Texas.

Mr. CONNALLY. Mr. President, will the Senator yield for another question?

Mr. BILBO. I yield.

Mr. CONNALLY. Does the Senator find anything in this bill which is advanced by its authors which would deal with these 1,460 flagrant cases in the city of New York?

Mr. BILBO. Oh, no.

Mr. CONNALLY. They are indifferent to that, but are very much concerned about the eight lynchings.

Mr. BILBO. They are indifferent to the victim of the rapist, but they are very considerate of \$10,000 to the family of the man who commits the rape.

I take the position, and I contend, that rape is worse than murder. If the victim is killed, he passes on to the happy hunting ground, "to sleep; perchance to dream"; but when some innocent, virtuous woman is raped, her life is wrecked. Her happiness is gone. Everything is gone. An eternal nightmare hangs over the life of the outraged woman.

Mr. President, did you know that last year, in 74 American cities having populations of 100,000 or more, 1,682 rapes were committed? That is what occurred in 74 cities having a population of 21,000,000 persons, one-sixth of our population. If the same ratio held in the other cities and towns and the rural regions of the United States, where the remainder of our population is found, it means that every year between 8 and 10 thousand American women are raped, and in 5 years 50,000 American women are raped. I say rape is worse than murder; and instead of spending our time in trying to solve a question which has been practically solved by the South, reduced to a minimum, here we are face-to-face with a crime which to my mind is a great deal worse—rape, a crime of which there are eight or ten thousand instances in 1 year in the United States!

Something can be done about it. The advocates of this bill denounce the mob. They denounce the southern white man who tries to protect the integrity and virtue of his family, his wife, his daughter, his sweetheart, his mother. They say it is a horrible thing for him to kill the criminal

who has outraged one of them. I think such a criminal has committed a crime that is worse than murder, and justifies the penalty of death. But there is one thing that some of you overlook, one of the reasons why there are mobs when a Negro outrages a white woman, whether in the South or in the West or anywhere else.

No man wants his wife, his daughter, his sister, or his sweetheart dragged into court before a jury of 12 men, with a curious crowd present, there to describe in all their minuteness the details of her defilement, her rape by some Negro brute, and submit herself to the cross-examination of the attorney defending the rapist. That is one of the underlying reasons why there has been a desire on the part of some persons to take this route to get rid of the Negro when he violates the chastity and virtue of the womanhood of the South.

Rape is a sex crime, whether committed upon a child or a grown person. The record of sex crimes that I have read is not for New York State. It is for the city of New York, the home of the senior Senator from that State, the home of one of the authors of the antilynching bill. If my State had such a record of sex crimes, and no mob violence had been resorted to therein, I should hesitate to point the finger of rebuke to any other section of the country composed of 12 or more States, and including the whole Nation, wherein there had been only eight lynchings during the year 1936. It might be well for some of us to extract the beam from our own eye before attempting to remove the mote from another.

One of the principal reasons urged for the passage of the antilynching bill by its proponents is that the rapist is murdered without due process of law. That phrase, "due process of law," has figured for half a century as justification for some of the greatest crimes that have been perpetrated against society.

Is any one so foolish as to think that this bill will guarantee to the rape fiend a hearing in the courts where due process of law will be obtained? What is there in the provisions of this bill, if it should become a law, to prevent the sheriff and his deputies from going frantically about the search of the accused and at the same time pursuing a trail leading apart from and nowhere near the suspect, thereby affording the gathering mob, bearing sea grass, every opportunity to seize and hang the offender? Self-preservation is the first law of nature; and do you suppose that a sheriff and his deputies would willfully ignore it? What incentive would there be for the police force of any county or municipality to capture an individual charged with the crime of rape when he knows he would also be capturing a responsibility that it might mean the cost of his life to discharge; a responsibility that might cause his incarceration, or deprive him of moneys needed for the support of his wife and children? Would he not be inclined, in his own heart, to say, "Let the mob have him," or, "Perhaps he will flee to some other county, where he will become the responsibility of some other sheriff." To pursue a course of this kind most certainly would defeat any possibility of due process of law.

Furthermore, what is there in this bill to prevent the sheriff and his deputies from seeking with all diligence the accused, and finally apprehending him and attempting to seize him, but, in doing so, shooting him dead upon the spot and then claiming that the alleged rapist resisted capture, or fled in an effort to escape, and it was necessary to pump lead into him, either as a matter of self-defense or to arrest his flight?

This method of dealing with an individual charged with rape also defeats any procedure furnishing "due process of law," also obviates the activities of an enraged mob, and furthermore relieves the sheriff and his county from all liability either as to the cost of a prolonged trial, or as to a fine imposed upon the county, or a prison sentence upon the sheriff.

The sheriffs are not going to take the risk of having to pay a fine of \$5,000 and going to the penitentiary for 5 years, being charged with a felony and tried in the Federal courts of the country. They are not going to take the chance.

They are either going to go some other way until the mob has had time to lynch the Negro, or whoever committed the crime, or else they are going to fetch him in dead, and your law is going to defeat the very purpose you are trying to attain. That is merely self-preservation.

Another thing: The people of the South are aroused over the prospect of the passage of this bill. They know what it means, and they will resent it. Senators who are lawyers, do you not know that cases brought under this bill must be tried in the Federal district court? Do you not know that that court must get its juries from the same body of men, the same county, the same territory in which a mob committed an outrage? The same jurors must do the indicting; they must do the convicting. They must destroy their own sheriff. They must impose taxes upon themselves and their fellows in a suit growing out of any crime connected with lynching—\$10,000 to be paid to the wife of the man who has outraged some southern man's daughter, or wife, mother, or sweetheart.

Do you think you will get a verdict from a jury in that way in a million years? Never. I am telling you, the more you think about it, the more you will realize that there is nothing in it but an effort to pacify a certain bunch of voters in this country.

To my mind, the most reprehensible feature of this measure is the compensation to be paid to the nearest kin and heirs of the rapist whose life has been exacted by a mob. What an incentive is here given to the rape fiend! In addition to the satisfaction he craves as a result of his savage lust, the penalty for which he knows is death and indescribable torture, he envisions the huge benefits that are given to his own family while he roasts in the unquenchable fires of hell.

On the front page of the Washington Afro-American, the contents of which paper I have had occasion heretofore to discuss, is found the picture of a Negro and his family, William Allen, wearing a \$5,000 smile because of a reward that was paid him for testifying in the Lindbergh case. Would it be an exaggerated assumption to say that as a result of the passage of the antilynching law, some day this selfsame paper and others publishing the same sort of tripe will carry a picture of those of nearest kin to some despoiler of womanly virtue, wearing a \$10,000 smile?

O tempora, O Mores! Pitifullest blunder of all the ages, most damning infamy ever perpetrated since the dawn of time; fearfulest penalty brave men ever had to pay! Well, indeed, might the South say to the Ethiopian, as Prospero said to the son of Sycorax:

I have used thee,
Filth as thou art, with human care * * *
I pitied thee * * * when thou didst not, savage,
Know thine own meaning, but wouldst gabble like
A thing most brutish, I endow'd thy purposes
With words that made them known. But thy vile race,
Though thou didst learn, had that in't which good natures
Could not abide to be with.

In conclusion, Mr. President, the South may submit sometime to the eradication and final elimination of the color line separating the Negro from the Anglo-Saxon race. The South may accept, if legally imposed, the principle and practice of miscegenation, the intermarriage of the black and white races. In some nebulous age yet to dawn, in the dim vistas of succeeding eons, more distant than the prophetic eye can now envision, the South may subscribe to the social and political equality of the two races. It may be that some day the South will acquiesce in the provisions of this damnable pernicious measure, the antilynching bill, to deprive her of her God-given and constitutional right to control by legislative declaration, without Federal interference, her own destiny as pertains to the race problem.

It is also not altogether improbable that she will eventually permit, under the requirements of a Federal statute, the Negro to eat at her lunch counters, her cafeterias, and dining rooms and drink from her fountains; to commingle with the Caucasian; to sit in her church pews by the side of white mothers holding white babes in their arms while listening to a black pulpiteer explain the plan of salvation; to

sleep, perchance to dream, in berths of Pullman palace cars adjoining those occupied by the fair daughters of her sunny clime. But, Mr. President, this will come to pass only at such an astronomically remote time as when the Prince of Darkness shall have folded his wings on the gravestone of God.

SAFETY IN DRIVING ON THE HIGHWAYS

Mr. LONERGAN. Mr. President, I desire to call to the attention of the Senate the enthusiastic efforts now being made by Members of this Chamber, and also by Members of the House, to prevent the appalling loss of life and the increasing number of injuries resulting from automobile accidents in the use of our public highways.

It was my pleasure to note that the Senator from Missouri [Mr. TRUMAN] introduced in the RECORD of Thursday, January 20, a reference to an amendment which he and the junior Senator from Arizona [Mr. HAYDEN] had offered to House bill 8838, relating to safety in driving on the highways of the United States, and I commend this measure and the amendment to the attention of all Senators.

The Senator from Missouri also referred to his measure—S. 589—now on the Calendar of the Senate, and inserted in the RECORD a radio interview with the Senator from Arizona which ably points out the hazards of our modern highways, and also discusses in an interesting way the amendment proposed to House bill 8838.

Other Senators have highway safety measures pending, and I hope they will have opportunity in the near future to discuss them and join hands with those of us who are making a special effort to have adequate laws enacted and provisions made for cooperation between the Federal Government and the States in eliminating these hazards.

Since coming to the Senate in 1933 the highway safety program has been one of my major interests. Because of the great volume of other emergency legislation it has been difficult, until recently, to gain a sufficient audience before committees and in Congress to advance the objectives of the measures in which I am interested. I hope that by cooperative efforts of all the Senators interested in this subject we may achieve effective results during the present session.

The problems incident to the highway safety program are numerous and complex. It will not be possible for Congress alone to offer a complete remedy. The solution rests also with the States and local enforcement agencies, as well as with the automobile industry and with the public. For that reason Senators and Representatives interested in the legislation have usually pursued a remedy for some particular hazard. After making a complete survey of the situation, as a member of the Interstate Commerce Committee, and after receiving extensive reports in 1935 from the Bureau of Public Roads, and other governmental sources, I was impressed that the most appalling disasters have occurred at grade crossings and drawbridges. With the help of other Senators I was able to secure the passage of a bill in the first session of the Seventy-fifth Congress which is now pending in the House—S. 18—which would establish a Safety Standards Commission, composed of representatives of the War Department, the Interstate Commerce Commission, and the Bureau of Public Roads. This commission would adopt uniform standards of safety for approaches to grade crossings and drawbridges, with which it would be necessary for States and applicants for bridge permits to comply before becoming eligible for allocations of Federal-aid highway money, licenses, or other benefits. To make the principle effective, an amendment was also inserted by me in the Federal Aid Appropriations Act which requires compliance by the States with the standards of safety established by the Bureau of Public Roads, for approaches to drawbridges and grade crossings, before qualifying for Federal-aid funds.

Other measures of the Seventy-fourth and Seventy-fifth Congresses included appropriations to the Bureau of Public Roads for a special study of highway accidents, and for the accident prevention conference held under the direction of the Secretary of Commerce. The money for this work was well spent, and much important information concerning the

causes of accidents compiled, although there is still a great need for a census, or a uniform system of recording the nature and causes of all automobile accidents.

Congress has also been giving consideration recently to measures requiring the annual or semiannual inspection of automobiles, so that dilapidated machines may be removed from the streets. It is my contention that many cars now on public thoroughfares are as dangerous to their occupants and to others as are many other things which menace the health and welfare of the community. We should seek to remove them from the streets as quickly as we would remove a ferocious beast that was loose in our midst. We spend money to eliminate disease germs and other menaces to health, while overlooking defective automotive equipment that may, at any time, cause death to operators or pedestrians.

These trends for highway safety measures in Congress, which are daily gaining force, are the result of an aroused public consciousness. Dramatic events have been occurring in all parts of the country in the last 2 years which have crystallized public sentiment. Accidents in which large groups of school children and other patrons of busses have been killed at grade crossings, have aroused the most attention, but the average type of accident in which an automobile and a pedestrian, or an automobile and another object, are involved, has also been receiving more attention. As the Senator from Arizona so ably pointed out in his radio address to which I have previously referred, more men, women, and children were killed in traffic accidents on our streets and highways during 1937 than the total number of American soldiers who were killed in battle in France in 1917 and 1918. Certainly the Nation cannot continue to overlook such a situation. The automobile industry itself has become aware of the great need for designing its cars to conform to the best possible safety standards. Safety is being featured in the cars for 1938. Engineers of the industry are also being requested to cooperate with Federal, local, and independent agencies in adopting safety measures. Engineering design is but one of the problems, and engineers are trying to meet it by establishing a greater degree of visibility in automobiles and by making brakes and other important parts of the car stronger and better in every way possible.

Numerous agencies, such as the automobile associations, the Automotive Safety Foundation, 366 Madison Avenue, New York City, and State and local organizations, are co-operating in the safety movement. The problem has become one of coordination of their efforts, to prevent overlapping of activities and useless waste of energy in seeking the remedies which we all recognize as necessary.

One of the most recent remedies for prevention of accidents on the highway which has been suggested to me is the construction of a system of express highways for long-distance travel to be constructed and operated on a self-liquidating basis, financed by toll charges. Such highways would be of boulevard width, to permit a safe separation of traffic in different directions, and would be designed to eliminate the use of headlights, or to prevent the glare of headlights. Such roads would also avoid railroad intersections and cities and would offer such opportunities for uninterrupted travel and safety as would attract a sufficient volume of traffic to finance them at a toll rate of not exceeding 1 cent per mile.

The Bureau of Public Roads is now making a survey of traffic volume throughout the country and has completed most of this work, except in Connecticut, New York, New Jersey, and Delaware. These data will be available to Congress within a relatively short time, I am informed, and will likely show that it will be possible to establish two or perhaps three long main lines on a self-liquidating basis.

To win traffic from competing free roads, toll highways, even along the lines of heaviest movement, must offer distinct advantages, including complete protection by the elimination of all intersections at grade. It would also probably be necessary to acquire and absorb in the toll facility ex-

isting parallel, high-type, four-lane divided highways wherever possible. This necessity and avoidance of the construction of additional competing free highway links of high type make it very desirable to have a prompt decision of the question of toll express highways, especially in view of the pending Federal-aid appropriation measures.

Express highways would draw sufficient fast traffic from other roads to diminish highway accidents on those roads also. Construction of express highways, on a substantial scale, would create much employment, and would enlarge the objectives of roadside beautification and thus perhaps offer an opportunity for expansion of Civilian Conservation Corps activities. Many benefits would follow the adoption of such a program; and I think that now may be the time to undertake such work, in view of the great emphasis upon safety activities, and also in view of the President's recommendations for curtailment of the regular Federal Aid Highway Act. Since the express highways would be self-liquidating, they would fill the gap without cost to the Government of any reduction made in Federal-aid highway appropriations.

Inasmuch as the subject of express highways is a comparatively new development of the safety program, I ask permission to insert in the RECORD an article by Dr. J. G. Van Zandt, Los Angeles, Calif., international inventor of safety and engineering devices, and a lecturer and writer on safe driving, who recently made a 10,000-mile automobile tour of superhighways of European countries. I regard his description of these express highways abroad as most enlightening on this subject.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAFETY SPEEDWAYS—A SUCCESSFUL EXPERIMENT WITH HIGHWAY CONSTRUCTION IN EUROPE FROM WHICH WE MAY LEARN A VALUABLE LESSON

There is a real demand in America for higher speeds with greater safety on through highways. The answer has been found in the special speedways of Europe, which have been used by thousands for several years with remarkable records of both high speeds and safety. We can have the same advantages in this country if we demand them. When we mix all speeds of the highest and lowest on single-lane highways, as is our present practice, the problem becomes too complicated from any viewpoint for simple solution. The demands made on our highways have been too great and the overload has brought on the inevitable, but as surely avoidable, wholesale slaughter of today. If the unreported minor accidents were added to the totals we would be astounded at the figure, proving that we are paying more than the cost of the needed speedways every year. If we really want high speed with safety we cannot afford to hesitate longer—and we can stand the cost of these desirable speedways better than war-torn Europe can, where these superhighways are now actually demonstrating their efficiency.

A recent tour over the "auto-stradas" of Italy and the "autofahrbahn" systems of Germany have convinced the most skeptical that this problem can be solved easily. The wonder is that we in America have not kept up with them in separating high-speed vehicles from slow trucks and horse-drawn carts and protecting our pedestrians by high standards of safety. The superhighways in Europe are for high-speed passenger automobiles only—a feature never attempted in America. They are a joy to the tourists as well as the businessmen of the Continent. One may drive all day at over 60 miles per hour and be as "fresh as a daisy" at night from the fact that there is no nervous tension and no strain or worry at the wheel. All these "auto-stradas" are protected by high walls or fences on both sides, so that no cattle, dogs, or pedestrians can enter. The four- or six-lane runways are widely separated, and each lane has an individual super-elevation at all curves designed for the speed of that lane. Passing on curves is impossible, as curbs separate all lanes at curves. All intersections are provided with bridges, separating the grades, and "clover leaf" turning connections are provided to eliminate left-hand turns, with extra speed-up lanes at approaches from other highways or village connections.

Imagine, if you can, such a speedway from New York City to San Francisco, without a single intersection at grade, nor a dog, horse, truck, bicycle, nor pedestrian! Think of this superhighway all enclosed with a pair of woven wire side fences 12 feet high, topped with barbs and high-voltage electric wires making them even cat and squirrel proof. Picture at least two concrete lanes in each direction, according to the demands of traffic, all separated by wide flower gardens, and the curves super-elevated scientifically for the speeds expected in each individual curbed lane. Dream of roses on the wire fences covering all signboards and illuminated signs, and only the traffic lights telling of turn-outs visible, and no headlights' glare, since invisible, indirect illu-

mination from frosted curb lights make only parking lights necessary, and, therefore, the glare is prohibited. This is a practical picture of the present Safety Speedways of Italy as found, for example, from Torino, the Detroit of Italy, to Milan, which boasts the slogan "the safest city in the world." The same is found in the continuation to Lake Como and many other parts of the "Roman Peninsular" country, including, of course, that model of all, the "Rome to the Lido" causeway, so popular on summer nights and having such an enviable record of safety. One should add a word about the flowers along the way and on the overhead bridges which add a note of beauty and charm which only Europe knows how to produce.

The two double lanes are for fast and extra fast traffic, with only minimum speeds specified. In the extreme right-hand lane vehicles capable of sustained speeds of about 50 miles per hour or over are permitted. Before entering the inner lane a speed of over 60 miles per hour must be reached and sustained during the occupancy of the lane. Frequent change-over places are provided and plainly marked, which must be used after due caution is taken and signals made to notify others on both lanes of intention to take the other lane. In emergencies brief stopping on the oiled shoulders is permitted, but turn-outs to filling stations for tire changes and fuel are sufficiently frequent so that shoulder stops are practically never used. In making such a stop at a filling station turn-out a sign indicates the beginning of an extra lane for slowing down, and the driver turns out into that lane which leads between special fences around to the right, passing over an open grill, dog-proof stockguard to a gate at which a watchman is stationed, who punches the ticket—a sort of mileage scrip-book form of special road tax for the speedway. He then opens the gate and permits the driver to pass out into the village or filling station. Similarly one may reenter the speedway by the same process, only he is required to show his "ticket" again and on it an O. K. indicating that while taking on gasoline an authorized and expert bonded mechanic has tested his brakes and inspected his car and guarantees the mechanical fitness of this car for high speed.

Also, if the motorist appears to be incapacitated by reason of any disability, as fatigue, drowsiness, illness, drunkenness, or for any good reason, the watchman is required to investigate and, if necessary, refuse admission to the speedway until a physician, bonded and authorized, has passed on his fitness for high-speed motoring. Any motorist on the speedway is pledged to leave when sleepy or unfit, and to make a report against any fellow motorist on the speedway who drives unsafely or violates any requirements. When a watchman receives such a report he telephones to the next watchman and the driver is stopped or an officer is sent after him from the opposite direction. Any watchman, officer, or bonded mechanic permitting an unfit car or driver to enter the speedway is subject to fine or more severe punishment. Any tavern keeper selling intoxicants to a motorist and permitting him to leave before sober is also subject to fine. There are some automatic devices for puncturing with slow leak any tire that goes over the metal plates in the road where crossing is not allowed or for exceeding speed limits in controlled areas. One hears a hiss and takes the next turn-out for repairs. This is a very effective means of preventing violations, as one soon learns to obey or be delayed, and while the expense is slight the inconvenience is great.

These speedways have given very satisfactory results. Of course, statistical reports should always be on the same bases if comparisons are made. All accident reports should be reduced to normal man-hour foundations for fair comparison. Some recent bad examples of improper statistical methods may be found in reports based on population, which would indicate that the most dangerous occupation is farming and the most dangerous place for the farmer is in bed, since most deaths occur there. But excluding the very abnormal conditions of illness, infancy, old age, etc., and reducing all data to the normal man-hour basis as far as possible, our last year's accident rate was between two and three times as high as any of the 23 countries reporting in Europe. In other words, today it is more than twice as dangerous to motor in America as anywhere else in the civilized world.

Furthermore, the records of the countries with the most speedways show a drop of over 30 percent in all accidents by this device. In spite of the increase of accidents to tourists who have always enjoyed the distinction of being the worst drivers on the continent, the rate of total accidents per auto-gallon (which has been shown to vary almost exactly as per man-hour) has decreased every year since the speedways were opened. In Germany, where the Autofahrbahn runs along the Rhine for over 150 miles, high speeds have been used with a record of no fatality in 4 years, and only 11 minor accidents under exceedingly heavy traffic. On the old roads near these speedways (now used only by trucks at low speeds and by horse-drawn vehicles) there has also been a decrease (of both fatalities and property damage due to accidents) which has exceeded 15 percent since the removal of high-speed autos.

This item of importance to existing highways due to the attracting away from them to the speedways of the high-speed traffic has hardly received the consideration it deserves in connection with the economics of the problem. In fact, the "fourth E" of the "four horsemen" of "highway safety" is "Economics," which has often been the controlling element.

In the United States, speedways can be self-supporting, self-liquidating, or in fact revenue-producing safety devices if properly controlled and reasonable tolls charged as in the countries of Europe. The time has come for us to profit by the successful

experience of Italy, Germany, Poland, and several other European countries which are now developing efficient speedway systems throughout their domains.

THE TENNESSEE VALLEY AUTHORITY

Mr. McKELLAR. Mr. President, if I should begin the remarks I desire to make on the T. V. A. at this late hour, I could not conclude this evening, and I therefore hope the Senate may take a recess until Monday, when I can begin and finish what I have to say. I understand that under the new rule laid down I could not start this afternoon and proceed on Monday.

Mr. BARKLEY. Mr. President, I have no desire to insist that the Senator proceed at this hour and speak for the remainder of the day, and it is entirely satisfactory that a recess be taken.

Mr. McNARY. Mr. President, I inquire of the Senator from Tennessee whether it is his purpose to begin his speech upon the convening of the Senate on Monday.

Mr. McKELLAR. That is my intention.

Mr. McNARY. Let us have that understood, because the Senator from New Hampshire [Mr. BRIDGES] desires to be present when the Senator speaks.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). If there be no reports of committees, the clerk will state the nominations on the calendar.

WORKS PROGRESS ADMINISTRATION

The legislative clerk read the nomination of Miss Gay B. Shepperson to be State administrator for Georgia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF INTERNAL REVENUE

The legislative clerk read the nomination of Rufus W. Fontenot to be collector of internal revenue for the district of Louisiana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

This completes the nominations on the executive calendar.

RECESS TO MONDAY

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. on Monday next.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate took a recess until Monday, January 24, 1938, at 11 o'clock a. m.).

CONFIRMATIONS

Executive nominations confirmed by the Senate January 21 (legislative day of January 5), 1938

WORKS PROGRESS ADMINISTRATION

Miss Gay B. Shepperson to be State administrator in the Works Progress Administration for Georgia.

COLLECTOR OF INTERNAL REVENUE

Rufus W. Fontenot to be collector of internal revenue for the district of Louisiana.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 21, 1938

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thy lovingkindness, O Lord, is in the heavens; Thy faithfulness reacheth unto the skies; Thy righteousness is like the mountains of God; Thy judgments are a great deep.

Heavenly Father, may we wait patiently for Thee and incline our hearts at Thy altar. We pray that our delibera-

tions may be a protest against all movements or agencies which work injury to the ideals of our free and representative government. Pour out Thy spirit upon our whole land and keep it far away from that gross materialism which has confined other nations. Save us, blessed Lord God, from wandering afar from the fresh spiritual fields of moral supremacy. For Thy name's sake, hear us and let the people praise Thee, O God; let all the people praise Thee. In our Savior's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

EMPLOYMENT OF LABORER

Mr. WARREN. Mr. Speaker, I offer a privileged resolution from the Committee on Accounts and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 404

Resolved, That the Clerk of the House hereby is authorized and directed to employ a laborer to be paid from the contingent fund of the House at the rate of \$1,260 per annum until otherwise provided by law.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. WILLIAMS asked and was given permission to extend his own remarks in the RECORD.

Mr. McCLELLAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address I delivered before the Mississippi Valley Flood Control Association.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an item appearing in the New York World-Telegram regarding the Public Health Service.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DUNN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a bill I introduced this morning.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a short letter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

ADMINISTRATION OF SUGAR ACT OF 1937 AND CROP PRODUCTION AND HARVESTING LOANS

Mr. TAYLOR of Colorado. Mr. Speaker, by direction of the Committee on Appropriations, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 571) making appropriations available for administration of the Sugar Act of 1937 and for crop production and harvesting loans.

The Clerk read the joint resolution as follows:

Resolved, etc.,

DEPARTMENT OF AGRICULTURE

Sugar Act of 1937: That for an additional amount to enable the Secretary of Agriculture to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, approved September 1, 1937 (50 Stat. 903-916), including printing and binding, and the employment of persons and means in the District of Columbia and elsewhere, as authorized by such act, there is hereby appropriated for the fiscal year ending June 30, 1938, out of any money in the Treasury not otherwise appropriated, the sum of \$39,750,000: *Provided*, That from this appropriation and the appropriation of \$250,000 for this purpose in the Third Deficiency Appropriation Act, fiscal year 1937, there shall not be obligated during the fiscal year 1938 for the following respective purposes sums in excess of the following amounts: For personal services in the Department of Agriculture in the District of Columbia, \$115,000; for personal services in the Department of Agriculture in the field, \$350,000; for miscellaneous administrative expenses

(other than personal services) in the Department of Agriculture in the District of Columbia and in the field, \$160,000; and for transfer of funds to the Office of Treasurer of the United States, Division of Disbursement (Treasury Department), and the General Accounting Office, \$25,000; but the limitations set forth in this proviso shall not include expenses of local committees under the provisions of section 305 of such act.

FARM CREDIT ADMINISTRATION

Crop production and harvesting loans: That the appropriation for crop loans made under the heading "Farm Credit Administration" by the First Deficiency Appropriation Act, fiscal year 1937, together with all collections heretofore or hereafter made under the act of January 29, 1937, of the character specified in section 7 (b) of such act, shall be available until June 30, 1939, for making and collecting crop production and harvesting loans under such act of January 29, 1937, regardless of any limitation to the calendar year 1937 or the fiscal year 1938 in such appropriation or such act: *Provided*, That loans under the foregoing appropriation shall only be made to borrowers, who, in the opinion of the Governor of the Farm Credit Administration will undertake in good faith to repay such loans in accordance with their terms, and no such loan shall be made in any State unless the Governor of the Farm Credit Administration has reasonable assurance that State and local authority will take no action which will encourage the borrower residing therein to evade payment of such obligation.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. WIGGLESWORTH. Reserving the right to object, Mr. Speaker, I do not intend to object, but I make this reservation in order that the chairman of the committee may make a statement to the House of the purpose and the urgency of the two items provided for in this bill.

Mr. TAYLOR of Colorado. Mr. Speaker, this first deficiency-appropriation bill contains only two items. It provides for the payment of the sugar-allotment payments due to the sugar growers authorized by the Sugar Act of 1937, and provides for the crop loans authorized by the act of January 29, 1937. These loans must be made available if the growers in the southern part of the country are to be helped for this season. These are small loans, the average being about \$100 to each farmer. The limit is \$400, but a great many of them are not even \$100. Both of these items are emergency measures. The Appropriation Committee is unanimous in authorizing me to present and urge the immediate passage of this resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Colorado. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I understand there is nothing new about this measure; it is simply to make payments under contracts already entered into by the Government.

Mr. TAYLOR of Colorado. Yes; that is correct. We are under obligation now to carry out the provisions of those two laws.

Mr. THOMAS of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Colorado. I yield to the gentleman from New Jersey.

Mr. THOMAS of New Jersey. What is the amount of the appropriation in this bill?

Mr. TAYLOR of Colorado. The amount of the sugar appropriation is \$39,750,000. The amount of the crop loans is \$34,500,000.

Mr. DOWELL. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Colorado. I yield to the gentleman from Iowa.

Mr. DOWELL. Is this a contract made with the sugar growers by the Government not to produce sugar?

Mr. TAYLOR of Colorado. No; that is not the law. The law fixes a quota of production, and this resolution is to comply with that law. It encourages production in this country and restricts importations.

Mr. DOWELL. I am asking if this is a contract.

Mr. TAYLOR of Colorado. It is a law, and this resolution complies with that law.

Mr. DOWELL. It is true we produce probably less than one-third of the sugar consumed in the United States. It seems very strange our Government should be contracting

with growers not to produce a thing of which we need a great deal and which we are importing in large quantities. Is this not a strange situation?

Mr. TAYLOR of Colorado. The gentleman has an erroneous impression. The Sugar Act provides the exact amount of sugar which can be grown in the United States and the amount that can be imported from Puerto Rico, the Hawaiian Islands, and so forth. It also fixes with a great deal of detail the entire sugar-growing and marketing industry. This measure is merely to carry out the provisions of the act we passed last summer.

Mr. DOWELL. I understand that, but does the gentleman believe the policy should be carried out of paying the producers of sugar for not producing it, when we have to import so much from foreign countries?

Mr. TAYLOR of Colorado. That is not the policy and this measure is not to determine a policy. The policy has already been determined by the Congress.

I yield to my Colorado colleague [Mr. CUMMINGS] who I believe knows more about all the details of the sugar industry than anybody in Congress.

Mr. CUMMINGS. I may say to the gentleman this money has already been collected by the Government and is in the Treasury. This measure is simply completing the contract the Government entered into with the growers last August.

As far as the gentleman's talking about paying the producers not to grow sugar is concerned, there is no sugar State in the United States, except the State of Florida and possibly Louisiana, which can produce as much sugar as it is allowed to produce under this quota. Sugar is today selling in the United States probably cheaper than in any other nation in the world on the basis of comparison of wealth. It is nearly 50 cents a hundred cheaper than it was when this legislation was passed.

Mr. DOWELL. My question is, however, is it the gentleman's opinion that the Government of the United States should be paying these producers for not producing it when we are compelled to purchase so much from foreign countries?

Mr. CUMMINGS. They are not paying the growers not to produce it; they are paying them to produce. The growers are getting a benefit out of this.

Mr. DOWELL. I understand the growers are getting the benefit, but they are getting the benefit because they do not produce the sugar.

Mr. CUMMINGS. No; the gentleman is mistaken.

Mr. DOWELL. Certainly, that is true.

Mr. CUMMINGS. No; it is not. They get the benefit for producing it.

Mr. MICHENER. If the gentleman will yield, as a matter of fact the policy has already been determined upon.

Mr. CUMMINGS. It has.

Mr. MICHENER. This is simply carrying out the policy.

Mr. CUMMINGS. And carrying out the policies and effects of a bill that was passed in this House by 4 to 1.

Mr. MICHENER. Yes; so far as consumption and production in this country are concerned, the purpose of the Sugar Act is to quota and to limit production, and Secretary Hull has stated—

Mr. CUMMINGS. No; the gentleman is wrong there. This is to limit importation.

Mr. MICHENER. Yes; to limit importations by establishing production quotas. By fixing limits beyond which we cannot produce.

Mr. CUMMINGS. It increases the production of sugar in the United States.

Mr. MICHENER. Yes; it permits production up to a certain quota; but the real purpose back of it all is to discourage the production of sugar in the United States, to eventually destroy the domestic production, and Secretary Hull—when the sugar bill was up the last time—opposed any increases in the quotas in this country because he had entered into a trade agreement with Cuba, and he said that if we increased our sugar production in this country we

would be violating the good faith of our reciprocal trade agreement with Cuba.

Mr. CUMMINGS. If I am in Congress whenever the time comes that we produce as much as this quota allows, I will be helping the gentleman to take off the quota.

Mr. LAMBERTSON. Mr. Speaker, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. LAMBERTSON. I want to ask the gentleman from Colorado a question. I was at Fort Collins, where the gentleman lives, last summer and I observed that three-fourths of this sugar-beet country of his was in wheat.

Mr. CUMMINGS. Oh, no, not that much.

Mr. LAMBERTSON. It looked as if about three-fourths of it was raising wheat.

Mr. CUMMINGS. You can just plant as much of a row crop, like beets or potatoes, as you have water, and we are limited in our water supply.

Mr. LAMBERTSON. It seemed to me that land used to raise sugar beets is now raising wheat and that you are getting this Government subsidy on your beets.

Mr. CUMMINGS. No; we had as much acreage in beets last year as we ever had, and we could not plant more beets because we did not have the water. This is the reason we are asking you to let us have the water from the Colorado-Big Thompson project.

Mr. MARTIN of Massachusetts. As I understand, if I may ask the gentleman from Colorado a question, the Budget has passed upon this appropriation and it meets with their approval?

Mr. TAYLOR of Colorado. Yes. It is imperatively necessary for Congress to pass this measure.

Mr. O'CONNOR of New York. Reserving the right to object, Mr. Speaker, I have consistently supported these seed-loan bills and all farm bills, and I supported the sugar bill. Did the possibility ever occur to the gentleman or to his committee of making loans to business people, the employers of labor in the cities, or does the gentleman confine his attention entirely to farmers? If our business people could get loans, it would take us out of this unemployment situation. Did that ever occur to the gentleman?

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I asked the gentleman from Colorado the question.

Mr. TAYLOR of Colorado. Congress has endeavored to help all classes of people that really need aid. This is a farming proposition entirely, and has nothing to do with the city or business financing the gentleman refers to.

Mr. O'CONNOR of New York. I asked the gentleman whether it ever occurred to him that business, as well as the farmers, might be helped?

Mr. TAYLOR of Colorado. Oh, surely. I think business has been helped more than the farmers have.

Mr. O'CONNOR of New York. I have been voting to finance farmers, but I have never heard any suggestion about the financing of businessmen who could put people to work.

Mr. WOODRUM. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Colorado. I yield.

Mr. WOODRUM. Has my friend from New York forgotten the housing program we put through to build tenement houses in New York for him?

Mr. O'CONNOR of New York. That does not finance the businessman, the employer.

Mr. WOODRUM. It puts people to work; and has the gentleman forgotten the long list of loans made by the Reconstruction Finance Corporation to railroads, insurance companies, and banks?

Mr. O'CONNOR of New York. I am talking about the little-business man, the 5,000,000 employers of this country who employ people, not the railroads and banks and insurance companies. Furthermore, R. F. C. is all through, but the seed loans go on forever.

Mr. WOODRUM. I am talking about the little-business man whom my friend represents in New York. We have helped them, and now we are trying to help the farmers.

Mr. O'CONNOR of New York. Well, I have not seen any of that help.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. TAYLOR]?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a resolution adopted at a mass meeting in the city of Morgantown, W. Va.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MEAD. Mr. Speaker, I ask unanimous consent to extend in the RECORD certain observations that have come to me as a result of our debate on the recent Treasury-Post Office appropriation bill, and I would suggest that the Members may find in this extension information that will be very helpful to them. For example, the question was brought up as to the amount of franked and penalty mail, and in this extension I insert certain information as to the amount of increased revenue resulting from franked and penalty mail matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting three letters I received this morning through the mails.

The SPEAKER. Is there objection?

There was no objection.

DEATH OF A FORMER MEMBER

Mr. EICHER. Mr. Speaker, I ask unanimous consent to proceed for half a minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. EICHER. Mr. Speaker, I rise to announce the death on Saturday last of a distinguished former Member of this body, the Honorable Harry E. Hull, a legal resident of the town of Williamsburg, in my congressional district. He represented the Second Congressional District of Iowa for 10 years, from 1915 to 1925, and from 1925 to 1933 he served as Commissioner General of Immigration of the United States.

The record of Mr. Hull's public service is an enviable one. As a legislator he was high-minded and conscientious and ever faithful to what he regarded as the best interests of the people of his district and of the Nation. His membership on the Military Affairs Committee of the House before and during the participation of this country in the World War placed on him the responsibility for making some vital decisions. He was one of the small group whose strong convictions impelled them to vote against the entrance of our country into that war, and, almost lone-handed, he succeeded in raising the draft age from 18 to 21. As administrator for 8 years of the Bureau of Immigration he showed a liberality of judgment in the interpretation and application of the controlling laws that confined the cases of individual hardship to a minimum and established standards in carrying out the restrictive quotas that will serve as beneficial precedents for years to come.

The State of Iowa and the Nation have profited by the public services of Harry Hull, and as his Congressman and friend I contribute these heartfelt observations of respect to his memory.

I ask unanimous consent to extend my remarks in the RECORD upon his life and services.

The SPEAKER. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL, 1939

Mr. UMSTEAD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill

H. R. 8993, making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1939, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. THOMASON of Texas in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

BUREAU OF AERONAUTICS
AVIATION, NAVY

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1938, \$968,700; for maintenance, repair, and operation of aircraft factory, air stations, fleet air bases, fleet and all other aviation activities, accident prevention, testing laboratories, for overhauling of planes, and for the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, \$19,069,800, including not to exceed \$50,000 for the procurement of helium which sum of \$50,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1938, in addition to which sum the Bureau of Mines may use for helium-plant operation in the fiscal year 1939 the unexpended balance of funds transferred to it for such operation in the fiscal year 1938, and the Bureau may lease, after completion, surplus metal cylinders acquired for use as helium containers; for continuing experiments and development work on all types of aircraft, including the payment of part-time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicians as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed, \$2,903,500; for new construction and procurement of aircraft and equipment, spare parts and accessories, \$21,258,000, of which amount not to exceed \$15,000,000 shall be available for the payment of obligations incurred under the contract authorization carried in the Navy Appropriation Act for the fiscal year 1938; in all, \$44,200,000, and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,716,520: *Provided further*, That in addition to the amount herein appropriated, the Secretary of the Navy may, prior to July 1, 1940, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts and accessories, to an amount not in excess of \$15,000,000: *Provided further*, That the Secretary of the Treasury is authorized and directed, upon the request of the Secretary of the Navy, to transfer not to exceed in the aggregate \$50,000 from this appropriation to the appropriations "Pay, subsistence, and transportation, Navy" and "Pay, Marine Corps" to cover authorized traveling expenses of officers and enlisted men in connection with flying new airplanes from contractor's works to assigned station or ship, including travel to contractor's works and return of personnel to stations of duty, and the amount so transferred shall be in addition to any limitations contained in the appropriations "Pay, subsistence, and transportation, Navy" and "Pay, Marine Corps": *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coast of the continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of \$500.

Mr. BOILEAU. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BOILEAU: Page 42, line 8, after the comma, following the word "accessories," strike out "\$21,258,000" and insert in lieu thereof "\$24,358,000."

Mr. BOILEAU. Mr. Chairman, I ask unanimous consent that my time may be extended for 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BOILEAU. Mr. Chairman, during the general debate upon this bill I indicated that I intended at the proper time to offer an amendment striking out the appropriation for the commencement of the two battleships, and that I intended also to offer an amendment appropriating an equivalent amount for the construction of airplanes for the Navy.

I regret that the parliamentary situation is such that it is necessary to offer the amendment to increase the appropriation for the airplanes before the amendment is offered eliminating the appropriation for battleships. This is a situation beyond my control, as the airplane item comes in the bill first, and I am advised by the Parliamentarian that it would not be germane to the provision involving airplanes to refer to battleships, nor would it be germane to offer an amendment to increase the amount appropriated for airplanes in the place in the bill where we now provide for battleships. As I said, I regret that we are confronted with this situation, but it is a matter over which I have no control and it is necessary, in order for me to carry out the views I have, to offer this amendment increasing the appropriation for airplanes, with the understanding that at the proper time I shall offer another amendment which will strike out the appropriation for the battleships.

On page 50 of the bill there is authorization for the commencement of two battleships, and the appropriation contained on that page in the bill for all naval vessels is in a lump sum, but only \$3,100,000 of that amount in the breakdown is allocated for the laying of the keels to commence the construction of these two battleships, which will ultimately cost at least \$141,000,000. I say at least that amount. That is the present estimate of the cost of the construction of these two battleships. As I understand it, the present estimate is based on battleships of 35,000 tons. This morning's newspaper indicates that there is a likelihood that the plans and specifications for these battleships may be changed, so that they will be 40,000-ton ships, in which event, of course, the appropriation would ultimately be a great deal more, and I call the attention of the membership to the fact that within the last 6 or 7 months the estimate for the construction of battleships has increased—an estimate made less than a year ago at \$50,000,000 to \$60,000,000 and now to \$70,000,000; and if we increase the tonnage from 35,000 to 40,000 tons, realizing these estimates will probably increase year after year, these battleships will probably cost us \$100,000,000 each, or \$200,000,000 in all, before they are constructed.

This bill appropriates only \$3,100,000 for the laying of the keels and beginning construction, so that my amendment now before the House would increase the amount to be expended for airplanes—and I hope they will be bombing planes—by \$3,100,000, and that amount of money, under the estimates contained in this bill for 1939, would build 41 B bombing planes, the finest bombing planes constructed; that is, the most expensive bombing planes we have in the bill. If we do not want to build bombers, that amount of money would build 52 V S B scout bombing planes. If we want fighting planes of the V F type, we could, with the \$3,100,000, build 74 fighting planes. From the standpoint of national defense and preparation against any immediate danger, I ask you, in all fairness, which would you rather have from the standpoint of defending this country, 41 bombing planes, or 52 scout bombing planes, or 74 fighting planes, or battleships with only the keels laid some place in one of the navy yards? It would take 4 or 5 years, at least, to get these ships into commission after the keels are laid. Or, if you want to construct the number of planes you could build with a total of \$141,000,000, I call attention to the fact that with that amount of money we could build 1,865 bombing planes.

Which would you rather have for the defense of this country, 1,865 bombing planes or 2 battleships—2 floating targets that would not be where you want them when they are needed, which are absolutely helpless, which are nothing but targets for the efficient airmen? If you did not want these bombing planes, you could have 2,366 scout-bombing planes, or the same sum of money would build 3,367 fighting planes—for the cost of these 2 battleships.

And then, Mr. Chairman, I call attention to the fact that the life of a battleship is 26 years. From the viewpoint of the Navy, at the end of that time they are obsolete and are junked. Throughout the length of the useful life of a battleship it has to be maintained, and maintenance alone is estimated to be somewhere around \$2,500,000 a year. This

would continue over a period of 26 years. For two battleships the maintenance would be \$5,000,000 a year, or about \$130,000,000 for the 26 years. In addition to that, every few years these battleships have to be entirely reconditioned, every 10 years or so, at a cost, I am informed, of about \$10,000,000 to put them in proper condition. So that in addition to the \$141,000,000 original cost of these two battleships we shall have probably at least that amount of money expended during the 26 years for the maintenance of these battleships. I submit to you that this amount of money added to the original cost would be sufficient to maintain permanently for a period of 26 years—and I want to say to you in all fairness that I am just estimating this in my own crude way; I am not a technician—but I submit that, in my judgment, the original cost plus the cost of maintenance and operation, and also the cost of reconditioning, would mean enough money over a period of 26 years expended on these two battleships alone to maintain, man, and equip at least 1,000 airplanes, up to the minute in fighting efficiency, every year over that period of years.

I ask you in all fairness, from the standpoint of defense—I am talking about defending this country rather than preparation for aggressive warfare—which would you rather have for the defense of our Territories, our possessions, our harbors, and coasts, 1,000 fighting bombers or 2 battleships that are helpless on the high seas, deaf, dumb, and blind? I say to you that under present conditions these battleships are absolutely helpless; they cannot maneuver, and they are at the mercy of the Air Corps. The gentleman from West Virginia is going to present to this House, I am sure, some startling information. He showed me some of the information in his possession. I appeal to you to listen to the gentleman from West Virginia [Mr. RANDOLPH] when he takes the floor a little later.

[Here the gavel fell.]

Mr. BOILEAU. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BOILEAU. Mr. Chairman, the accuracy of these bombing planes is uncanny. Although they may not be able to destroy a battleship, they can, from a distance of 14,000 or 15,000 feet in the air drop bombs with an accuracy that would startle you. I am sure the gentleman from West Virginia will give us some information along this line that will be rather shocking. If the airplanes cannot destroy a battleship because of the deck armor, it is going to be a matter of only a few years before bombs will be manufactured that can be let down from the skyway beyond the reach of antiaircraft guns, that can sink battleships. If airplanes cannot now sink battleships, they certainly can sink the auxiliary ships, the cruisers, and the other ships that do not have such heavy armor, the destroyers; and you know a battleship needs protection it has to have its convoy. The battleships are at the mercy of submarines as well as the Air Corps. The submarines can destroy these battleships.

I submit to you that it is a waste of money to build these tremendous battleships. I, for one, am a firm believer in adequate national defense, but defense only. I believe that we should spend as much money as is necessary for that purpose. I submit that bombing planes at the present time make battleships ineffective. Bear in mind the fact that aircraft are in their infancy; there is a lot to be learned in this field, a lot that will be learned within the next few years, before these big battleships are even commissioned. Battleships, on the other hand, are as old as our civilization. With all these years of experience they have gotten about as efficient as we can hope for but the airplanes will become more and more efficient as fighting units.

I appeal to the Members of the House to adopt this provision increasing the appropriation for airships by \$3,100,000; and then when we come to that part of the bill on page 50 which provides for the building of two battleships, that we

strike that provision out of the bill so that these two battleships will not be built, so that we shall not be squandering the taxpayers' money, so that we may use such money as we have available for defense for the construction of fighting planes that can give us the only effective defense against any possible invasion of this country.

In offering these amendments I do so with the firm conviction that the United States should protect itself against any probable invasion. I take the position that we should be prepared to defend our country and our Territories and possessions. But when it is realized that a few days ago 18 bombing planes of the United States Navy went from the Pacific coast to the Hawaiian Islands, a distance of over 2,500 miles, in 20 hours, and when we also take into consideration that they successfully carried out their objective, we should be convinced that any military expedition against this country can be defeated by a well organized and equipped Air Corps which could meet any contemplated invasion before it could get near our shores. They can go 1,500 miles or 2,000 miles out to sea; each plane can carry a thousand pounds of bombs and those planes could sink an invading navy with an accuracy that is almost unbelievable at the present time. With experimentation going on all the time, the efficiency of these bombing planes will be greatly improved. All of this will give us adequate protection and will give us more per dollar for defense than we can possibly have by building these superfloating fortresses.

Mr. Chairman, I hope that my amendment will be agreed to and that the other amendments I shall suggest at the proper time will be approved by the Committee when we take into consideration the item for the battleships.

[Here the gavel fell.]

Mr. MAVERICK. Mr. Chairman, I move to strike out the last word.

NOT TWO BATTLESHIPS BUT FOREIGN RELATIONS, I. E., STANDARD OIL

Mr. Chairman, the matter which we have before us today is, in my opinion, considerably more serious than we realize. We are really not talking about two battleships. They are incidental. We are talking about foreign affairs. We are really talking about the grave relations of the world, and not necessarily two battleships.

We find that the investment of the Standard Oil Co. in China amounts to something like \$130,000,000 or \$140,000,000. We are spending approximately \$140,000,000 to build two battleships. Hence, it may be said we are spending of the taxpayers' money approximately the investment of the Standard Oil Co. in China in order to protect that company's investment in China.

The history of foreign trade, especially when it involves colonies or exploitation of weak nations, has always been that it ends up in violence, either war or revolution. Whenever colonialism or foreign exploitation ends up in violence, it has always been a losing proposition to the country which originally did the exploiting.

IS OUR NAVY TO BE AUXILIARY TO THE BRITISH?

Mr. Chairman, we hear in these times all kinds of rumors. I heard there was a conference recently in New York between some of the leading officials of our Government and officials of the British Government, and it was decided that the American Navy would be complementary to the British Navy and the two would control the world. I do not say whether that is right or wrong, but it is a rumor that people have been talking about.

It is also alleged that this group talked about the efficacy of the press in reference to informing the people as to international relations, about the *Panay* incident, and so forth; that is in getting them worked up into a war spirit. I have always wondered why there were so many newspaper reporters and so many cameras available to cover the *Panay* incident and why it has been pushed so prominently and vigorously all over the country, when at the same time we try to suppress certain films which portray conditions existing under the German Fascist Government. Those are just a few things I have been wondering about.

PEACE AND MILITARISTIC, REACTIONARY AND RADICAL, GROUPS FAVOR SHIPS—WHY?

I have asked numerous people about these two battleships just to get their viewpoints. I asked a man whose sympathies are all for Communist Russia this: "What do you think about these two battleships?" He said, "I am in favor of the two battleships. I am for those two battleships because they will be used to maintain peace in the world."

Then I said, "What do you mean by that?"

He said, "We are going to stop Japan in China."

Then I went to some pacifists, and I asked them the same question, and I received approximately this reply: "We want those two battleships to maintain peace."

I have not observed a single peace organization objecting to these two battleships. Not one. From my conversation with the peace groups, it looks as though many of them favor the battleships and a big navy.

I went to one of my military—I might say "militaristic"—friends, and I asked him, "What do you think about these two battleships?" He said, "I am for those two battleships." Of course, he was absolutely honest about it, because he believes in both a big army and a big navy.

CLUMSY OXEN OF THE SEA; STRANGE SITUATION

We have here a strange situation, one of the strangest in American history. I do not understand it. People are confused and it ought to give us pause if many differently thinking people and different groups are confused. Most people seem to think, somehow or other, by the use of two battleships that they will produce some magic that will give peace to the world.

Whether the oil to be poured on our troubled waters is standard or not, I do not know. What I am concerned about is not so much a battleship or two, or its sinking, but the ship of state.

Economic considerations seem to have been abandoned. The economic background of the war in China seems to have been completely forgotten, and when the real causes are forgotten, then is when more trouble begins to brew.

There is one thing certain in my mind, and that is that none of us have clearly in our minds the real necessity for these two battleships. Do we really need them? Are they absolutely necessary? I ask, Will we preserve peace by building these clumsy oxen of the sea?

I read in the newspaper that the President is going to send us a message on the subject of battleships and national defense. As far as I am concerned, I believe it is unfair of the Chief Executive to go ahead and permit us to vote on this particular bill, then come in and present a message for more battleships or more airplanes at a later time.

This whole question should be presented as a whole.

MORE AND MORE MONEY FOR BATTLESHIPS

I was talking to one of my colleagues and I asked him, "How are you going to vote on these two battleships?" I told him I thought I would vote against them. He said, "I think I will vote for these two battleships, but when the President comes in with the recommendation for two or three more I will vote against that proposition."

So, I replied, "Well, we might be both demagoging because I will vote against these two battleships and you will not vote for the next, but the people will get the five or six battleships anyhow, and, of course, the bills to pay for them." That is the practical result. We will keep on spending more and more money on battleships. The futility, the disappointment of all this is overwhelming.

There is one thing that is absolutely true so far as the world's history is concerned, and that is that foreign relations have always been a racket to cover the failures at home. [Here the gavel fell.]

Mr. MAVERICK. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

FOREIGN RELATIONS RACKET TO COVER FAILURES AT HOME

Mr. MAVERICK. Mr. Chairman, foreign relations have always been a racket, as I just said, to cover up failures in

internal or local situations. I do not mean by that any Member of this Congress, I do not mean that the Executive, and I do not mean that anybody else would start a war in order to cover up a local situation.

It is a mental excuse—or mental escape—and it has always been a mental excuse and a racket to keep from solving our problems in this country.

WHAT ABOUT OUR PROBLEMS? LET'S SOLVE THEM FIRST

What about the C. C. C.? We have forgotten all about the Civilian Conservation Corps.

What about unemployment? We seem to have forgotten all about that. We have a Budget providing, I believe, a billion dollars for unemployment, but everybody knows recent events mean we will have to increase this amount probably at least another billion or more.

What about the W. P. A.?

What about the minimum wages bill? Are we going to solve the problem of minimum wages by having a big Army and by being like Fascist Germany and having munitions factories running all the time to give present employment and later war? Are we going to solve our unemployment problem that way, and let our economic questions be unsolved, and for instance, let the minimum-wages bill go?

What about all the different bills we are supposed to take up for the benefit of the people of the United States, and what about the Democratic program?

Two battleships, my colleagues, seem to be blasting the Democratic program.

WHY BUILD THE SHIPS?—THE ADMIRALS SAY SO

I have not seen any reason advanced for building these two battleships other than that the admirals say we ought to have two more battleships.

NAPOLEON AND THE GRAND TACTIQUE—ITS GRANDNESS BROUGHT WATERLOO

We should have confidence in the admirals, but if you will go back through naval and military history you will find invariably that military men are not only reactionary from an economic viewpoint but strangely enough, reactionary from a military standpoint. Every man who becomes an admiral or a general begins to think of display and of vast groups of moving troops. One of the reasons Napoleon was beaten was that he adopted the "Grand Tactique," the kind of tactics where they had to have vast, cumbersome groups of men. He made his greatest successes in his younger days with fast-moving, well-equipped, well-trained armies.

What are we coming to in this country? We are building a gigantic Navy. Maybe we need it, but I am not yet convinced of that fact. I would vote for 50 battleships if I thought we needed them. We are building a gigantic Navy with a gigantic pay roll, and are sending too many boys to Annapolis, it seems to me.

We are doing this on the advice of the admirals and the admirals alone.

Mr. Chairman, we believed, since we voted that way, that we can wait a year as far as the selection system of officers is concerned. We have two battleships under construction right now which have not been completed, and we can hold up the matter of constructing further or additional battleships for a couple of weeks until we get the expected message from the Chief Executive and can make a coordinated plan of national defense.

I believe we should vote down the appropriation for these two battleships just as a gesture, if nothing else, for there is no immediate danger. I believe our vote should be against building them now, just so we can stop and think, because if we really need them we can enact the necessary legislation any time. [Applause.]

Mr. RANDOLPH. Mr. Chairman, I move to strike out the last word.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I am delighted to yield to the gentleman from Georgia.

Mr. RAMSPECK. May I ask the gentleman from West Virginia whether or not a bomb from an airplane can sink a battleship?

Mr. RANDOLPH. I shall be delighted to answer the question of the gentleman from Georgia, because I want to confine my remarks upon this particular amendment to the facts as I find them in connection with the efficiency of battleships as compared with bombers. I shall try to keep the extraneous matter out of my mind and discuss this immediate pending subject.

Prefacing my remarks, I should like to return to the great Battle of Jutland and say to the gentleman from Georgia that at that time Great Britain fired from its battleships 7,732 heavy shells of 12 inches and over, and out of that total there were only 100 hits. Germany in that battle fired 10,479 shells of 10 inches and over and had but 120 hits. This proves to me, first of all, before I answer the gentleman's question directly, that an expensive supply of ammunition was required for the number of hits made in comparison with the number of attempts, and, after all, in any war, it is not the number of tries we make that counts but the number of strikes we get. Approximately 2 percent of hits in actual combat was the record.

Mr. FADDIS. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Pennsylvania.

Mr. FADDIS. Will the gentleman also state to the Committee what the percentage of hits would be if a similar number of bombs had been dropped from airplanes, under battle conditions?

Mr. RANDOLPH. I shall answer the gentleman. I now come to that question, and I preface my remarks, because I am certain it would follow in order with this question. In 1936 the Navy officials and the Bureau of Naval Operations of the United States Government were chagrined because they felt for the first time there had taken place in this country something which horrified the old-time naval experts of the Nation. Here are the facts! Off Hampton Roads in 1936 an effort was made to prove this very point of which the gentleman from Pennsylvania speaks. Bombers from the Army Air Corps cooperated with the Navy Department in a joint maneuver.

Mr. FADDIS. If the gentleman will yield further, in what battle?

Mr. RANDOLPH. I am not referring to any actual battle now, but there will be battles some day in which bombers will be used to completely wipe out battleships. Off Hampton Roads it was proved that the bombers, flying with muffled motors at 14,000 feet, were able to sneak up on Navy ships without being detected and drop their bombs and hit a target 8 by 12 feet in size 75 percent of the time, and the Navy Department today does not dispute this fact. Of course, this was in 1936. In 1946 or 1956 accuracy of the bombers will be almost 100 percent.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. Will the gentleman tell us whether or not this was done without the Navy knowing the airplanes were up there?

Mr. RANDOLPH. No; they had knowledge of it. This was a joint maneuver, with the Navy and the Army working together.

Mr. BOILEAU. Did the Army bombers sneak up on the Navy and drop these bombs in order to prove they could not have been hit by antiaircraft equipment?

Mr. RANDOLPH. Yes; the planes flew with muffled motors at 14,000 feet, and the Navy, with the knowledge the planes were flying there, were unable to stop this maneuver from being successful.

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Ohio.

Mr. THOM. In a real encounter, however, there would be airplanes supporting the battleships being attacked by the enemy airplanes, and it would not be such an easy task for the enemy airplanes to come into the locality of the battleships and use them as targets. The attacking airplanes would be repulsed by the airplanes which were de-

fending the battleships or cruisers, if they amounted to anything.

Mr. RANDOLPH. In answering the gentleman from Ohio, let me simply say that I shall now point to an actual illustration of a small battleship that was attacked from the air. We need no further example than to go to the recent incident of the *Panay* sinking. Of course, that was not a great battleship, but it was a warship, and what happened? The planes came down within three to four hundred feet of that ship—

[Here the gavel fell.]

Mr. RANDOLPH. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. UMSTEAD. Mr. Chairman, reserving the right to object, and I shall not object, I have made no motion to close debate since the consideration of this bill started, and I do not wish to make such a motion. I should like to know, however, if it would not be possible to arrive at some agreement with respect to time for debate upon this amendment and this paragraph of the bill.

Mr. FISH. I would suggest that the gentleman from North Carolina ask how many would like to speak on this paragraph or on this amendment.

Mr. UMSTEAD. Mr. Chairman, five Members have indicated they would like to speak upon this matter, and I therefore ask unanimous consent that debate on this paragraph and all amendments thereto close in 40 minutes, and that I may have 10 minutes of that time, the time also to include the additional 5 minutes which the gentleman from West Virginia has requested.

Mr. FADDIS. Mr. Chairman, reserving the right to object to this extension of time, I think it is but fair that we know how many opposed to this amendment are going to be able to speak. So far those in favor of the amendment have secured all the time, and I believe there should be a fair division of the time.

The CHAIRMAN. The Chair will endeavor to divide the time fairly between those in favor of the amendment and those opposed.

The gentleman from North Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto be concluded in 35 minutes after the gentleman from West Virginia has used the additional 5 minutes requested. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Chairman, I may say that the present occupant of the floor has yielded to every single person who desired to ask him a question. I wanted to be fair in my discussion of this highly important matter.

Now, returning to the question of the gentleman from Ohio for a moment, as I have said, these planes came down within three or four hundred feet and the ship was sunk, and those of us who saw the news reels know what happened. Then let us go to Spain, Barcelona, and Valencia, and we see there aircraft killing not hundreds but thousands of persons, with only bombers taking part in that conflict. One bomb alone killed more than 200 persons.

The gentleman from Ohio has asked what would happen if there were other aircraft fighting back at these ships. They were fighting back at the ships in Spain, and yet that did not matter. We know there were more than 1,000 killed in a few hours, and that was more than were killed in days and days of actual combat fighting between the loyalists and the rebels on the ground.

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. THOM. The gentleman will agree that the United States Navy has a good air fleet?

Mr. RANDOLPH. Which should be added to; yes.

Mr. THOM. If you agree to that, then it is reasonable to suppose that your fleet, representing the United States, is going to repulse the enemy air fleet and save the battleships and cruisers from destruction.

Mr. LUCAS. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Illinois.

Mr. LUCAS. The gentleman has made a comparison of the accuracy of the German gunner on a warship in battle in line with a peacetime maneuver of an American bomber. Has the gentleman any facts and figures to show the accuracy of the American gunner on a battleship in a peacetime maneuver?

Mr. RANDOLPH. No; but I can say—

Mr. LUCAS. Would not that be a fairer comparison and a better test so far as the knowledge of this House is concerned?

Mr. RANDOLPH. I may say I wish I had that information. However, it is said by experts that our record will compare with the record I have given of the German gunner and the British gunner in time of fighting.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield again to the gentleman from Georgia.

Mr. RAMSPECK. The question I wanted the gentleman to answer is: Granting, for the sake of the argument, that a bomb can hit a battleship, can it penetrate the armor plate of battleships?

Mr. RANDOLPH. I may say to the gentleman I am certain it can. Perhaps not so successfully today, in 1938, but remember this program is designed for 10 and 20 years hence, and in 1950 we are going to find the number of tries meeting with about 100-percent success, and they are going to penetrate the armor of the heavy battleships. A bomber costing \$100,000, with a bomb of some 4,000 pounds in weight, has almost that amount of explosive. Yes; ships will be demolished.

Continuing further for just a moment—

Mr. FADDIS. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield again to the gentleman.

Mr. FADDIS. The gentleman is proceeding on the supposition that while airplanes will advance there will be no advance in protection against them.

Mr. RANDOLPH. I may say that the advance made in battleships is certainly a retrogression instead of a going forward. The day of battleships as effective defense agents is going fast.

Mr. THOM. Mr. Chairman, will the gentleman yield further?

Mr. RANDOLPH. Yes; I yield again to the gentleman from Ohio.

Mr. THOM. The fact of the matter is in the Battle of Jutland there were two battle cruisers, the *Marlborough* and the *Seidlitz*, that were struck by torpedoes. They stayed in the line and continued the battle, taking their part in it. That is the truth of the matter, and they also went back into their home port.

Mr. RANDOLPH. The truth of the matter is that in the Battle of Jutland about 2 percent of the actual shells fired were hits, and that is the highest mark that any country or any group of countries can ever hope to attain.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. MAAS. I do not believe there is anybody more enthusiastic about aviation than I am, but does the gentleman think it is a safe policy or a wise one for us to eliminate battleships while other nations have them? You cannot fight a war with any one type of weapon, can you?

Mr. RANDOLPH. I may say to the gentleman that I feel today in this committee, in this House, and before the country the Congress should speak as to our deep-seated feeling against the expenditure of \$141,000,000 for the construction of two great floating targets. Remember, Members of this body, that the life of a battleship is some 20 years, and it costs \$2,500,000 to maintain a battleship for a year's time. Think of that fact! That does not take into account the cost of major overhauling nor does it take into account the food and the clothing and the cost of the crew. In 10 years there comes an added \$10,000,000 for modernization of the ship. Think of the billions being spent on such a program. There is folly in building such surface ships when with only a comparatively few millions we can give our Nation the

very finest national air defense. As I said day before yesterday while this Committee was sitting, we have to realize that at this hour the scene of warfare has shifted from sea and land into the air. We must establish an efficient, swift-moving and hard-striking defense in the air. [Applause.]

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. FERNANDEZ. Mr. Chairman, this amendment proposes to increase the appropriation for naval aviation, and if that is adopted by the Committee, as I understand it, a motion will be made to strike out the provision for the replacement of two battleships in the fleet. That brings up the question as to the vulnerability of battleships and airplanes. Before I dwell on that subject I want the record to show what the fundamental naval policy of this Government is. The naval policy of this country is proposed by the President of the United States, the Secretary of State, and the Secretary of the Navy. Here is that policy:

To maintain the Navy in sufficient strength to support the national policies and commerce and to guard the continental and overseas possessions of the United States.

To support this policy the operations of the naval forces are planned with a view to accomplishing the following purposes:

(a) To exercise and train the units of the fleet to the highest state of efficiency;

(b) To organize the Navy for operations in either or both oceans so that expansions only will be necessary in the event of national emergency;

(c) To protect American lives and interests in disturbed areas;

(d) To cooperate fully with other Departments of the Government;

(e) To cultivate friendly international relations; and

(f) To encourage civil industries and activities useful in war.

The operating-force plan derived from this study is prepared by the Chief of Naval Operations and sets forth the vessels and aircraft to be kept in commission and operated during the year in order to fulfill the mission imposed by the current approved policies.

Mr. BOILEAU. Mr. Chairman, will the gentleman be good enough to tell us the first reason again?

Mr. FERNANDEZ. It is:

To support this policy the operations of the naval forces are planned with a view to accomplishing the following purposes:

(a) To exercise and train the units of the fleet to the highest state of efficiency.

Mr. BOILEAU. I thought the first part had something to do with commerce.

Mr. FERNANDEZ. No, that is further down. To have that policy it is necessary to have certain units in the fleet—battleships, cruisers, destroyers, submarines, auxiliary ships, and naval aviation. I have searched, not the views of experts on these problems, but I have searched for other views. I am indebted to my distinguished friend from Ohio [Mr. THOM], a member of the committee, who in the CONGRESSIONAL RECORD of March 4 last in this House quoted the only authority that I can find on this question, and I shall read that authority for the benefit of the committee:

The same doubts of the value of the battleship in the midst of new and modern implements of attack from the air have afflicted the English mind and led to an investigation by a subcommittee of the Parliament Committee of Imperial Defense on the subject of the Vulnerability of Capital Ships to Air Attack, culminating in the issuance of a so-called White Paper, dated November 1936, in which the conclusions of this body of civilians were incorporated.

The names of the members of the investigating committee were: T. W. H. Inskip, chairman; Lord Halifax, Malcolm MacDonald, and Walter Runciman, the last named having just visited President Roosevelt, and who is looked upon as one of the strongest men in the British Cabinet.

Their report as issued is ably reasoned and written, and it leaves one feeling that the question of the degree of vulnerability of battleships is entirely debatable, especially when the strongest paragraph written in favor of the continued employment of battleships, hereto appended, is examined:

"If capital ships are essential to our security we must have them. We are dependent, as is no other nation, on the maintenance of our overseas trade. We have more to lose by making a false decision in so vital a matter than has any other power. Let no other great naval power, though with less risk than we ourselves should run, propose to do away with capital ships. Should we be the first to do so? Surely not, unless the question is settled beyond all possible doubt. We do not find that the question is so settled. It may never be settled without the test of war, but the information at present at our disposal leads us to believe that the day of

the capital ship is not over, now or in the near future; to assume that it is and to cease to build them would lead to grave risk of disaster.

"It is possible to state the matter in the simplest possible terms. The advocates of the extreme air view would wish this country to build no capital ships (other powers still continuing to build them). If their theories turn out well founded we have wasted money; if ill founded, we would, in putting them to the test, have lost the Empire."

This conclusion of the Commission I shall supplement with some of the supporting data in condensed form. It is pointed out that new forms of attack such as the airplane sooner or later produce new forms of defense. The last 40 years saw the advent of the submarine, the torpedo, and the mine. Naval experts turned their minds to counteracting the possible effects of their attacks on capital ships, and now the air attack must be combated.

Bombing from an airplane, the Commission report points out, takes three forms. Level bombing is undertaken from a high altitude. Dive bombing involves attack from a steeply diving airplane. Torpedo attack consists of dropping torpedoes from aircraft at a low altitude abeam the ship.

What has been done to meet this power of the airplane?

First of all, armor plate has been thickened after tests have shown the penetrating power of bombs. In the new British capital ships, a turtleback arrangement of side and deck armor is planned to deflect aerial attacks. The ships will be outfitted for being made completely gastight on short notice.

In the way of offense, the battleship, as we all know, has the antiaircraft guns to fall back on, and the tendency is to increase the volume of fire. The Commission found that the rate of hits in tests of antiaircraft guns do not throw much light on their value because of difficulty in simulating real warfare. Interesting, however, are the facts produced that antiaircraft fire, even if nonvital, would unnerve the air forces and cause them to take poor aim in bomb dropping. It would also have a tendency to drive an airplane to higher altitudes, thus making its attack less sure.

The argument that more in the way of naval strength can be derived by spending funds for airplanes than capital ships was studied. The Commission found that 43 medium bombers could be bought for the price of a battleship. One of the witnesses estimated that the squadrons of airplanes needed for defense of trade and territory of Great Britain would entail a cost equivalent to that of 15 battleships. If this estimate were accepted, then the cost of the present battleship strength of England would be about the same as supplying the number of airplanes necessary to do the same work.

Having concluded my digest, I now close by reading the justification for battleships as given in the recent hearings on the naval appropriations bill by Admiral Land, Chief of the Bureau of Construction and Repair:

"The modern battleship is so designed, constructed, and built that while it is not immune—and I doubt if such a thing as complete immunity can be given—it is such an uninteresting target, due to its many protective features, devices, and so forth, that we are amply justified in proceeding with the construction of them. The menace of the air to a battleship is much less than the so-called proponents of the air ever concede, or are willing to concede. It, nevertheless, remains a fact. So that we feel with the design as now prepared and approved that the menace from the air is very materially reduced over what has been in existence heretofore, and that we should go ahead with this type of ship, which cannot only give but take and take and take punishment; it can take punishment far better than any other class of ship."

Mr. Chairman, I hope the amendment is rejected. [Applause.]

Mr. FISH. Mr. Chairman, I did not purpose speaking on this subject until the gentleman from Texas raised the question of foreign affairs and discussed the international angle, rather than the issue before us which is whether we should have two more battleships. I am rather reluctant in opposing this amendment, but I propose to vote for the two battleships. I do not claim to be an expert on this question and I do not know that anybody else in the House is an expert on whether we should have or should not have two battleships. All I know is that Great Britain, Italy, Japan, and France and the other naval countries have decided upon the necessity of having these great super-dreadnaughts. I do not know whether they are either useful or necessary. I do know, however, that all the other naval nations and their staffs have decided in favor of a policy to build big battleships. Therefore I believe our hands are forced. Furthermore, the Congress has already authorized the construction of two battleships. Under the Constitution the duty of the Congress is to provide and maintain a navy. That is not the duty of the President. It is our constitutional duty. We have already decided by authorization that two battleships should be built. There is no reason now to turn down our own decision, particularly in view

of the fact that every other naval nation is building these enormous battleships. I am voting for them reluctantly, because our hands are tied, because we have no agreement with other nations, to limit naval armament, because these two battleships maintain practically the 5-5-3 ratio, and when we are through building these battleships we will have 1,400,000 tons as against 1,100,000 tons for Japan giving us about 30 percent advantage over Japan, maintaining largely the original treaty agreement.

Later on I shall speak on one thing in which I am interested above all, and that is having another naval limitation of armament conference. In a little while—and I serve notice now upon Republicans and Democrats alike—there will be a real fight in the Congress when the President asks for any additional battleships, because I believe it amounts to a change in our foreign policy; because I believe that if we comply with the request of the President it means that we are willing as a Congress and as a Nation to guarantee the peace of the world by force and arms. This is not the American way, nor do the American people propose to adopt any policy that requires them to send soldiers to foreign lands to fight other peoples' battles. They do not propose to quarantine and police the rest of the world, which is absolutely opposed to the traditional policies of our country.

In the remaining few minutes I desire to correct the RECORD, particularly for the benefit of Republicans.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield for a very brief question?

Mr. FISH. Yes; but I ask the gentleman to make it brief.

Mr. MARTIN of Colorado. Is there anything inconsistent in voting for the additional airplanes as well as the additional battleships?

Mr. FISH. I could not advise the gentleman properly.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. FISH. No; I am sorry, I cannot yield.

Mr. Chairman, I received this letter, and I read it for the benefit of the Republicans:

On last Sunday evening, during the weekly review of the news, Mr. H. F. Kaltenborn made a statement that should certainly be corrected. He made a sweeping statement saying that he was gratified to hear that in his speech Mr. Hoover was "in complete accord with the policies of the present administration, and shows to the world that we are truly a united people and will cooperate with other democracies to preserve peace and order in the world."

In answer I quote from a speech delivered by Hon. Herbert Hoover last Saturday at a luncheon meeting in San Francisco, when he said:

We should not engage ourselves to use military force in endeavor to prevent or end other people's war. We should not join in any economic sanctions or embargoes or boycotts in endeavor to prevent or end other people's war.

Mr. Hoover's entire speech on foreign affairs is a complete negation and repudiation of Mr. Kaltenborn's radio statement which was a gross misrepresentation of the facts.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I ask unanimous consent to proceed for one-half minute additional.

The CHAIRMAN. Time for debate has been fixed and has already been allotted.

Mr. FADDIS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FADDIS. Mr. Chairman, I would ask the members of the committee present this afternoon to bear in mind, in relation to this question, that throughout the entire history of this Nation, American naval officers have been among the foremost and most successful naval officers the world has ever produced. Throughout our entire history we have never had one single naval engagement but what has reacted with the very highest credit upon the officers in charge of our Navy. We have before us today a bill based upon their recommendations, a bill designed to keep the American Navy in a certain ratio and proportion to the navies of the other nations throughout the world.

Mr. JOHNSON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I cannot yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. FADDIS. In that ratio is calculated the number of battleships necessary, and I also inform the proponents of this amendment that our naval experts have carefully computed the number of airplanes necessary to support those battleships in the accomplishment of their contemplated missions.

In the very short time at my disposal, I call the attention of the Members particularly to the example given by the gentleman from West Virginia [Mr. RANDOLPH]. The gentleman from West Virginia used as the basis for his argument peacetime experiments carried on off the Atlantic coast of the United States at a time when there was not one single hostile force throughout the entire world in opposition to those airplanes.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I cannot yield.

Mr. RANDOLPH. I yielded to the gentleman.

Mr. FADDIS. I am sorry; I cannot yield. The gentleman had 10 minutes; I have only 5. That example has no bearing whatever upon the question of naval armament. You can take a rifle, lie down on the ground, and shoot at a target when no man is shooting back at you and perform very excellently; but any man who has ever had the experience of lying down under battle conditions and shooting at a live target knows it is an entirely different matter. You cannot use as a yardstick peace time experiments carried out by the bombing of a battleship which has no means of retaliation as a basis to judge whether or not a bomb is deadly to battleships or how vulnerable a battleship is to bombing. Furthermore, I know you all read the newspapers. I call attention to recent operations throughout the world and ask to what extent in warfare airplanes have accomplished anything decisive in offensive or defensive action? Let your memory go back a few months to the time when the Japanese announced to the world that they intended to reduce the city of Nanking, China, in 3 days' time with their airplanes. Certainly, the Japanese had overwhelming superiority of the air. The Chinese had almost no equipment to combat those airplanes; yet, with all their bombing, the Japanese could not reduce Nanking with their airplanes, but had to depend on the infantry, the men with the rifles, the picks, and the shovels, with artillery to back them up. With all of their boasted superiority in the air, they had to resort to the infantry to accomplish their mission. They did not drive the Chinese civil government out of Nanking until they went in there with their infantry.

I also call attention to the fact that for the past year the city of Madrid, Spain, has been subject to constant attack by airplanes. All that was accomplished by the airplanes was to force the civilian population to get into dugouts and cellars. The soldiers are still there and still defending it successfully.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. RANDOLPH. I would remind the gentleman that I yielded before my time was extended, and that is the reason I asked for a yielding of the floor a few moments ago. General Franco himself has made the statement that what success he has had in Spain has come about through the use of airplanes. The Japanese have also said that by spreading fear and desolation and death in China through the use of airplanes they were making their big successes.

Mr. FADDIS. General Franco's success has been nothing to brag about, despite his use of airplanes and other mechanization. He has not accomplished much in his drive on loyalist Spain, even though he has had all the mechanical assistance that Italy and Germany can furnish him.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield further?

Mr. FADDIS. No; I cannot yield further; my time is very limited. [Applause.]

[Here the gavel fell.]

Mr. HARLAN. Mr. Chairman, this debate which I have listened to for the last 2 or 3 days has been very illuminating to me and has disclosed two facts. First, we are wasting a tremendous amount of money in educating and training our naval officers, and, second, we have trained a group of naval officers who violate the basic law of human nature, which is the law of self preservation. Why should we have our naval and military academies when we can develop such outstanding experts by simply having our cadets and midshipmen go through the experience of a congressional election? I do not understand it. Our congressional experts are not only superior to our own naval staff and military staff, but they surmount and exceed the abilities of the staffs of all other civilized countries on the globe.

On the other hand, we have most unusual naval officers. I always knew they were brave. I knew they were ready to die when necessary. They are the men who probably have less to do with making war than anybody in this room, because very few of them even have a vote. All they do is prepare themselves and wait until the Alamo is attacked, Fort Sumter fired upon, the *Maine* blown up, or until England gets into a squabble with Venezuela; then there is a wave of passion throughout our country and we say to the naval and military forces, "Boys, go out and do your stuff." They know this is going to happen. They know they will have to fight with the weapons this Congress has provided. In the light of history they know they will be expected to fight even though we have given them no weapons.

If we knew what caused war we would know a lot more than we do now. The historical fact is that you and I and all of those that go to make up the rest of the mob called the United States get the war bug.

We are told that this war psychology is created by the manufacture of naval vessels and war munitions. Maybe so. At least I never heard of any munitions manufacturer, either in this country or abroad, attempting to placate war madness. Nevertheless, I do remember that this phenomenon had occurred many times in history long before we had munitions manufacturers. Whatever the source of this mob activity, which we call "the impulse to war," it is here; and when it attacks a foreign country and we are the objects of foreign anger the question we have to decide is "what to do to be saved," rather than why the attack occurred. Then we say to the Army and Navy, "You go out and do what we pay you to do." All they have to do is die.

Now, these officers come in and tell us what they want, what they need. They say they want two battleships because their prospective enemies are building battleships. They know that battleships are the backbone of the Navy. Yet we are told here that these officers want these battleships because battleships have upholstered seats and a dining room in them. In other words, those men would rather have upholstered seats and a dining room than protect their own lives and win wars! Obviously, they do not care anything about self-preservation.

What a laugh it is to substitute airplanes for battleships. I am not an expert, and I do not know anything about them, but there are certain facts we all know. A few months ago we had a dock strike on the Pacific coast which lasted for 60 or 90 days. I do not know just how long. During that time the food supplies in the Hawaiian Islands were almost exhausted. They were pleading and sending resolutions over here to us to stop the strike because they had no more food out there. What would happen if we ever lost control of our line of communication between the Hawaiian Islands and our coasts? In a war it would not make any difference whether we had Pearl Harbor, it would not make any difference how many soldiers or airplanes we had out there, we would have to give up the islands as soon as we could no longer feed their inhabitants. How are you going to protect our line of communication with airplanes? How are you going to protect these lines of communication with light ships that in the event of coming up against heavier ones would be blown out of the water? You have to have something in the way of a fleet

that can keep the sea if we are going to hold Hawaii and Alaska. If we really wish to keep an enemy from our Pacific coast, Alaska and Hawaii are indispensable.

Mr. JOHNSON of Minnesota. Will the gentleman yield?

Mr. HARLAN. I refuse to yield.

Mr. JOHNSON of Minnesota. What about an air fleet in Hawaii?

Mr. HARLAN. If we are to protect our lines of communication it is necessary, for defensive purposes, to have something on which we can rely, something that will stay in the water no matter what hits it.

What has an airplane ever done under war conditions? The first ship designed for war purposes that was ever sunk under conditions remotely approximating war was the little gunboat *Panay*. If a wholly unexpected and indefensible attack by a fleet of airplanes that had very recently expressed their friendship; if an attack on a naval vessel having no modern antiaircraft guns, and if deliberate assassination can be said to approximate war, then the sinking of the *Panay* would be in that classification.

The planes came down within a few hundred feet in perfect safety, knowing that there were no antiaircraft guns, and dropped their bombs. What a difference such an attack is, however, from one on a naval vessel supplied with antiaircraft guns that can shoot accurately up to 20,000 feet. Some aviator by deliberately committing suicide, if he is lucky, may be able to drop a bomb close enough to a modern naval vessel to sink it, but that remains to be demonstrated.

If the gentleman from Wisconsin [Mr. BOILEAU] had seen, as I did, not more than 6 weeks ago, the target practice of our antiaircraft guns, he would not have so much confidence in the ability of the airplanes. Mr. Chairman, any airplane under war conditions that gets down below 20,000 feet, with our antiaircraft defenses, is in a very precarious position.

[Here the gavel fell.]

Mr. DUNN. Mr. Chairman, if one-fourth of the amount of money which is now being spent by every nation in the world for the construction of battleships and other devices which destroy human life and property would be expended for the abolition of poverty, sweatshops, child labor, the terrible social diseases prevailing throughout the world, and for all other progressive and humanitarian purposes, we would, undoubtedly, promote the welfare of mankind.

I am not opposed to the United States having one of the best navies and armies in the world; we should not be second to any nation; in fact, we should be so thoroughly fortified that we would be able to repel any nation or a group of nations who would try to invade our country. This talk about gigantic navies, armies, and bombing planes that all the nations in the world are building indicates that we have gone war crazy. All I have heard this afternoon on this floor is battleships, bombing planes, and so forth; in fact, it seems to me that we are now engaged in a battle on the floor of the House. Fortunately, up to now, nobody's nose has been punched. I hope that does not happen; however, if we keep on talking about battling, someone is liable to get hurt before the day is over. If this constant warring on one another and the terrible human misery is to be continued forever on this planet, I do hope that when poor humanity departs from this earth we will go to a place where there will be eternal peace and everlasting enjoyment. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I believe there is no question but that we need more airplanes in this country. Our air force now ranks about fourth as compared with the other nations, but it is utter folly for us to build airplanes at the expense of any other vital element in our defense system. I firmly believe the time will come when the battleship will disappear, but certainly while other nations have battleships it is imperative if we are to have any defense that we have at least equal strength for our own system in every defense weapon, including battleships. The foundation of all military operations, after all, is the foot soldier with the sharp blade. Even the bullets in his gun are only auxiliary to the bayonet on the end of his rifle. Every other arm of the Army, in-

cluding the airplanes, and even the Navy itself, are all auxiliary to the foot soldier. Every element is needed in a proper proportion to have an effective, balanced national defense that will succeed in defending the country.

These two battleships are only replacements of two battleships now over 20 years old. We know if we ever are threatened we will be faced with a superior number of ships, so it behooves us at least to have the most modern and capable defense weapons obtainable in our service. I hope the Congress will see its way clear as time goes on to build more airplanes and give us at least equality in the air, but our airplanes alone cannot defend this country. Further, no one element could defend our country successfully without a completely balanced complement, and battleships, under existing conditions, are a vital necessity. They are the first line of the Navy; in fact, the battle line of the Navy. An enemy with battleships could steam right through our auxiliaries if we did not have battleships to stop them. The type of gunnery on auxiliary craft, such as on the gunboats and all the way up to the light cruisers, would not stop a battleship, which could steam right into and destroy a port. I do not say airplanes could not sink battleships, but you have to see what you are bombing if you are going to hit it. The battleship can operate successfully under conditions which airplanes cannot operate, such as fog, smoke screen, sleet, and so forth.

I believe in airplanes as enthusiastically and as ardently as any man in the House, and I want to see plenty of airplanes built, but I primarily want to see a balanced defense system which has not a single weakness. Our whole defense may fail if we are weak in one branch. All may be wasted and lost without a proper balance of all weapons. We can have all the airplanes that can be manufactured, and they would be of no avail if some other type or element of military force could make its way through our lines. Further, the battleship can clear the way for transports carrying troops and make possible actual invasion of our country. Airplanes are not effective against ground troops, except to a limited extent. They have a place in destroying morale, but in themselves, without the auxiliaries of surface craft or ground troops, they are almost helpless. You cannot fight a war only with airplanes. You can neither occupy territory, nor drive out invaders merely with airplanes alone.

We are all familiar with the phrase "adequate national defense." Everyone in the country except those who actually hope to see our country invaded and destroyed, claims to be for adequate national defense. The controversy is always over what is adequate.

Some feel that we should only be able to fight in resisting the invader after he has reached our shores and landed. This may be a beautiful idea, but it is not practical wisdom.

The United States is never going to invade and conquer foreign territory. We want no more territory.

This does not, however, mean that we do not need mobile, far-reaching weapons for defense. To wait until an enemy has landed and occupied American ground is too late. At least, the cost of driving out an invader is a thousand times greater than preventing him ever reaching our shores.

The loss of American lives, including noncombatants, especially women and children, will be a hundredfold greater if we permit an enemy actually to reach our shores than by meeting him far out at sea and preventing him from getting into gun range of our coast cities, or, better yet, to keep him in his own country and prevent him from ever starting for over there.

The airplane carrier, with its hundred or more planes, must be protected, lest the very base of the planes and probably including the planes themselves be destroyed. The airplane carrier must have the protection of battleships.

Superiority in numbers, size, and type of each weapon is the best and most certain defense against that same type of weapon in the hands of an enemy. Other things being equal, the greatest number of foot soldiers will win on the battlefield, the greatest number of airplanes will win in the air, and the greatest number of battleships will win at sea.

When all boiled down adequate national defense means a defense system adequate and capable of defending the United States. This, of course, must be based upon the possible forces that might be employed against us. The more soldiers we face the more soldiers we need to repulse them. The more airplanes there are available to drop their aerial bombs upon our homes the more airplanes we need to drive them off.

The more warships that might steam to our coasts the more warships we need to meet them at sea and turn them back.

So when other nations increase their navies and their air forces we must increase ours if our defense is to be in fact adequate. Every dollar we spend for the Army and Navy is wasted if we spend one dollar less than enough to provide a defense system that will repel an invader and defend our country.

No matter how large our Navy is, it is too small if it cannot accomplish the purpose of protecting our coast. The job of protecting our coast is determined by the size of any force that is a threat to our coast. Therefore the greater the potential opposing force the greater the need for expanding our defense facilities.

If this be a naval race, we had better be the fastest runner. In war the second best navy is the one that is sunk.

We in the United States not only did not start a naval race but we took the initiative in an attempt to stop insane armament races. In fact, we are the only nation that actually made any genuine sacrifices in a heroic effort to limit the armament programs of the world. The rest of the world took advantage of our sacrifice to build up their own navies at our expense.

We are paying the price of our folly today. Because we were sincere and abstained from building ships, we are compelled to double our building program now so as to catch up to equality of strength sufficient to provide the adequate national defense for the United States that every Member of Congress swore to do when he took his oath of office to obey the Constitution. For the Constitution says that the Congress shall make provision for the defense of the country.

Since we are potentially threatened by the battleships of other nations, it behooves us to have adequate strength in battleships to meet any possible attack by such battleships.

I repeat, I favor substantial increase in our air forces for the Army, Navy, and the Marine Corps. We need alike the battleship on the sea and the aerial bomber in the air.

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Ohio.

Mr. THOM. Is it not a fact the gentleman himself has had the experience of dropping bombs?

Mr. MAAS. Yes; I have had a good deal of experience in that line, and sometimes I hit things with them. [Applause.] [Here the gavel fell.]

Mr. UMSTEAD. Mr. Chairman, the pending amendment does not eliminate the provision for battleships from this bill. Most of the discussion to which you have listened has been directed at battleships, but the pending amendment has the effect of increasing the funds carried in this bill for aircraft by the amount of \$3,100,000, without any plan whatever having been submitted with respect to the type of planes for which the funds will be used, if the amendment be agreed to, or what manner or method will be devised to service such additional planes, or from where the officer personnel for them will come. Further, it has no regard whatever to the features of this bill affected by those very considerations.

Let me repeat, in substance, a statement I made on the day I presented this bill. We now have on hand of first-class planes 1,002. We also have of nonprogram planes, which may be used without restriction, 132. We have of planes on order today and not delivered, 652. We have funds now available to the Bureau of Aeronautics, to purchase 320 planes, for which orders have not been placed. Why? Because the Department is always seeking to buy something better and delays the placement of orders until it is satisfied that it will get the very latest product the ingenuity of aeronautical engineers has been able to devise.

We have today, beyond question, the finest naval air corps in the world and, our information is, the largest number of naval airplanes. When we provide for additional airplanes, Mr. Chairman, there are other things to be considered. Officers and men must be provided for their maintenance and operation. They make necessary adequate stations ashore at which they may be serviced. They call for aircraft carriers if not in the seaplane category.

Without posing at all as a military expert, as it would appear some Members of the House have done today, I should like to inquire of any man who, without weighing all of the incidental considerations, seeks to put into the service an unknown number of airplanes in unknown categories, if he appreciates the fact that it might occasion the provision of additional carriers, which cost in the neighborhood of \$31,000,000 apiece, and I should further like to ask him what he would do with the carriers if he did not have such additions to the fleet as would need to be provided for their protection. These are elements which enter into this discussion.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. UMSTEAD. I am sorry; I cannot yield now.

I am confining my remarks to aircraft at this time. The matter of battleships is not involved here, and I wish you to understand that the pending amendment does not eliminate battleships but seeks to add \$3,100,000 to an appropriation which is already well taken care of. We do not know what types of airplanes the amendment contemplates. If not carrier or ship based, then may I remind you that we do not have enough airplane tenders to service the seaplanes we now have. We are now building 1 and, besides 2 improvised tenders, are using 10 small converted mine sweepers as airplane tenders. An airplane tender costs in the neighborhood of \$11,900,000. As I said before, an aircraft carrier costs around \$31,000,000.

May I remind you further that, after all, the people who know best how many planes we should have and in what classifications we should have them, as so well suggested by the gentleman from Ohio [Mr. HARLAN], are the naval authorities themselves. There has been a lot of loose talk on this floor about admirals. I hold no brief for an admiral or a general, but why should Members of Congress come into the well of the House and unduly, without any justifiable basis, in my judgment, criticize and make light of the advice and recommendations of the highest ranking officers we have in charge of our national defense? Of course, they may have their faults, just as you and I, but certainly they are the ones in whose custody the defense of this country must rest, working with such implements and facilities as we provide in response to what they say they ought to have.

This is an important matter, gentlemen, and it goes to the very crux of the question of national defense. It is far more important than the mere question of appropriating an additional \$3,100,000.

It is a question of whether or not the Congress of the United States, upon the statement of Members whose attention, necessarily, must be devoted to a multitude of matters, will be guided by their statements as to the proper composition of our Navy—our first arm of national defense—or whether or not it will be guided by the best brains on that question that this country has been able to produce as to the size and kind and kindred elements of the defense establishments we should have, both the Army and the Navy.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. UMSTEAD. Not now; I am sorry.

Now, I do not wish to appeal to your emotions. I probably could not if I desired to, but I wish to say to you that this is the fact: When you undertake to set yourselves as judges over and against the expert and technical authorities on these questions, then I say to you that you arrogate to yourselves a responsibility that may jeopardize the security of the United States.

No man can accuse me of being a big navy man or a big armament man. I have come on this floor and opposed bills that I thought were unwise in the expenditure of money or that called for an expenditure unnecessary at the particular

time when advocated, but I am not willing to put my meager amount of knowledge upon these matters up against those whose life work has trained them to be experts and to know authoritatively about that which they speak.

We are now about to vote upon an amendment, not offered for the purpose really of increasing our airplane strength, not offered, I submit, fundamentally for the purpose really of strengthening our defense, but, I submit, for the purpose of eliminating provision for battleships from this bill, which are not involved in this amendment, but whose elimination will be proposed in a subsequent amendment. I say that is the moving cause of this amendment, and, I submit further, that if you will examine the record you will find that some of those who are supporting this proposition to increase the amount in this bill for the procurement of airplanes have not voted for a naval appropriation bill during the last 3 years. [Applause.]

Do not be misled, gentlemen. We have here in the guise of a move to augment our air forces a proposition which seeks to disrupt the program contemplated by the Vinson-Trammell Treaty Navy Act, and I call upon you and urge you, in the interest of proper procedure and in the interest of maintaining what we are advised and believe to be a proper proportion between the various categories of vessels and aircraft, to vote down this amendment and permit the Department and those whose business it is to decide how many airplanes and what character of airplanes we need in the United States Navy to pursue the course contemplated by the measure we have brought to you from the Committee on Appropriations.

I have not discussed battleships. The battleship is not an issue in this amendment, and I beg of you to remember that when you come to vote upon this amendment you will not be voting to eliminate battleships but that you will be voting to add \$3,100,000 to this bill for airplanes, and I hope you will not do it. [Applause.]

Mr. Chairman, I ask for a vote.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. BOILEAU].

The question was taken; and on a division (demanded by Mr. BOILEAU) there were—ayes 25, noes 93.

So the amendment was rejected.

The Clerk read as follows:

Undrawn clothing: For payment to discharged enlisted men for clothing undrawn, \$248,400.

Mr. MAAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to have the attention of the chairman of the subcommittee and ask him how many additional marines are provided for in this bill?

Mr. UMSTEAD. One thousand, and also 20 additional officers.

Mr. MAAS. Can the gentleman tell us how many additional marines the Marine Corps requested, or was there any evidence that this is the proper number?

Mr. UMSTEAD. Of course, the only request that came to our subcommittee from the Department came in the Budget, and that was for 1,000 additional men.

Mr. MAAS. There is going to be a substantial increase in the strength of the Navy, with the construction program, and it has always been understood that the Marine Corps should bear a relationship of 1 to 5 to the strength of the Navy itself. What is the authorized or the appropriated strength of the Navy, independent of the Marine Corps, for the next year?

Mr. UMSTEAD. There will be on July 1, next, if all of the men appropriated for in the bill for the current fiscal year are enlisted, 105,000 enlisted men.

Mr. MAAS. That would indicate, based on this formula, there ought to be 21,000 marines.

Mr. UMSTEAD. I may say to the gentleman in reply to that statement that whereas that proportion is supposed to be followed generally, it does not necessarily follow, and, as a matter of fact, it does not follow that it has to be adhered to in order to have a proper complement. We had no informa-

tion and no evidence before our committee from the Department indicating that this number of Marines would not be sufficient.

Mr. MAAS. I believe, as a matter of fact, Mr. Chairman, there is a shortage of marines. They have organized the Fleet Marine Force now, which is way under strength, and I know that many commanding officers of navy yards are complaining that they do not have enough marines for ordinary guard duty.

Mr. UMSTEAD. Mr. Chairman, will the gentleman yield?

Mr. MAAS. Yes; I yield.

Mr. UMSTEAD. I believe the record of the last 3 years discloses that the Marine Corps has always received at the hands of our subcommittee the utmost consideration.

Mr. MAAS. I think that is a very fair statement. I think the committee has been very generous to the Marine Corps and has given them what they understood the Marine Corps required.

Mr. UMSTEAD. I know the gentleman is interested in the Marine Corps and I am satisfied, if he will observe what the committee has done for the Marine Corps in the last three appropriation bills, that he will agree that we have met, so far as we had justification for so doing, the reasonable requirements of the Marine Corps.

Mr. MAAS. Mr. Chairman, I am very happy to admit that and I think the subcommittee of the Committee on Appropriations on Naval Affairs has always been very generous with the Marine Corps. That is why I asked the question. It seems to me, that if there is a fault, it must lie somewhere before it gets to the gentleman's committee.

Mr. UMSTEAD. That must be so, because we have done what we were requested to do in the Budget and, in some cases, even more.

Mr. MAAS. I thank the gentleman for the information.

Mr. SCOTT. Mr. Chairman, I rise in opposition to the pro forma amendment. I do this for the purpose of directing what may be a usual question of the chairman, and that is this. The statement the chairman made to me yesterday about the reenlistment allowance for the Navy would hold good as far as the Marine Corps is concerned?

Mr. UMSTEAD. It would, according to my judgment, absolutely.

The Clerk read as follows:

REPLACEMENT OF NAVAL VESSELS

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part), and for the commencement of the following vessels authorized by the act approved March 27, 1934 (48 Stat. 503-505), two battleships, two cruisers of subcategory (b), eight destroyers and six submarines, and for the commencement of the following vessels authorized by the act approved July 30, 1937 (50 Stat. 544-545), one minesweeper, one submarine tender, one fleet tug, and one oiler, \$117,363,150, to remain available until expended: *Provided*, That the sum to be paid out of the amount available for expenditure under the head of "Construction and machinery" for the fiscal year 1939 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed 5 percent of the aggregate amount available under this heading on July 1, 1938: *Provided further*, That, of the appropriations made available by this act under the head of "Replacement of naval vessels," there shall be available such sums as the Secretary of the Navy may from time to time determine to be necessary for the engagement of technical services, and the employment of personnel in the Navy Department and in the field, the purchase of plans, drafting, and other supplies, and the expenses of printing and travel, in addition to those otherwise provided for, owing to the construction of vessels which have been or may hereafter be authorized.

Mr. BOILEAU. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BOILEAU: Page 50, line 6, after the second comma, strike out "two battleships," and on page 50, line 11, after the comma following the word "oiler," strike out "\$117,363,150," and insert in lieu thereof "\$114,763,150."

Mr. BOILEAU. Mr. Chairman, I stated awhile ago that I would offer an amendment to strike out the appropriation for commencing the construction of the two battleships, the

amount of \$3,100,000. On page 50, line 11, my amendment would reduce the amendment by \$2,600,000, and if this amendment be agreed to, the next \$500,000 will be deducted from the figures on page 51, lines 8 and 9.

I gave my views with reference to the usefulness of battleships earlier in the afternoon. In my judgment, battleships are absolutely useless as against bombing planes. The distinguished gentleman from North Carolina, chairman of the subcommittee, a man for whom I have the highest regard, made a statement in the closing part of his debate which I challenge, and which I think should be challenged by the membership of this House. His principal reason for supporting the appropriation bill before us today is that it has the recommendation and endorsement and approval of the Navy Department. He says that when the naval experts approve a bill, we should swallow it. He has already as much as said that when the President comes in here with a special message in a day or two, he is going to gobble it down hook, line, and sinker, regardless of what is recommended, because I assume that certainly the President's message will be based upon the recommendations of the naval authorities of this country, and the gentleman from North Carolina [Mr. UMSTEAD] has told us in advance that regardless of what those recommendations are he is going to adopt them and recommend them to us.

We, as Members of this House, have our own responsibility as Representatives, and if we believe that battleships are antiquated, as the gentleman from Minnesota [Mr. MAAS] intimated when he said that, in his opinion, in a few years there will not be any battleships, we ought to act now and get rid of those useless and extravagant appendages to our national-defense system.

Mr. MASON. Mr. Chairman, will the gentleman yield?
Mr. BOILEAU. Yes.

Mr. MASON. Does the gentleman know that in the New York Herald Tribune this morning there is an announcement of the fact that the President has a message to bring in here asking for a billion-dollar expansion of the Navy, including three additional superdreadnaughts in addition to these two?

Mr. BOILEAU. That alarms me. It frightens me. I wonder whom we are getting ready to fight? The gentleman from Pennsylvania in a very fine argument a while ago said that airplanes cannot go ahead and take land. Can the Navy take land? No; it cannot; battleships cannot come over here and take our land. There is no nation in the world that can land enough troops in the United States or our Territories, even if it had a navy twice as large as it now possesses, to take or hold these Territories or the continental United States, if we have a real, honest-to-goodness national defense from the air, such as I have proposed.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. BOILEAU. Yes.

Mr. RANDOLPH. The gentleman from North Carolina [Mr. UMSTEAD], for whom I have a high personal regard, has taken many of us to task because we oppose certain features of this bill, yet he himself has said that he reserved the right to exercise his judgment against and oppose certain other bills that have come here with the expert backing of Government officials.

Mr. BOILEAU. Yes. Of course, every program submitted to us has the recommendation of experts. The Secretary of Agriculture is supposed to be a farm expert; but did the Congress swallow his recommendations? The wage and hour bill had the endorsement and blessing of the experts of the Department of Labor. Did we accept that proposal? No; you Representatives exercised your own right to cast your vote according to the dictates of your conscience. I do not want to get into any cat-and-dog fight with any of the admirals. I do not have any ill feeling toward them, but just because the admirals say we should have a large Navy and more battleships does not relieve us of our responsibility of using our own judgment. We should listen, but we must be convinced. I agree that we should have adequate national defense, but I believe in defense only, and I am supported

in my views by many experts in this country, for whose opinion I have as high a regard as I have for that of any officials of the Navy Department, and they say that the ordinary battleship is not essentially for defense, but is primarily for aggressive warfare.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BOILEAU. Mr. Chairman, I ask unanimous consent to proceed for 3 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BOILEAU. In 1932 Admiral Bristol, who was then Chief of Operations of the Navy, made a statement to the effect that the Navy is not for the purpose of defending our coasts and harbors.

He said that for that purpose we use mines, land fortifications, submarines, and the Air Corps. Admiral Bristol said that in 1932, and he is supported by many competent authorities in this country. Mr. Chairman, that, so far as these battleships are concerned, being a large part and the expensive and luxurious part of the Navy, we can well do without them.

The gentleman from North Carolina said that we have all the airplanes we need. I do not agree with him, and I reserve unto myself the right to say that I do not agree with him. I feel that my opinion is one that I should freely express in this House, as he feels about his own opinion. At least I have my own opinion and I am not bound in conscience just because some naval officer has spoken. I have the right to, and shall exercise the right to analyze the opinions of these experts; and where experts are unconvincing or differ, I reserve to myself the right to raise my voice and to cast my vote for the 300,000 people I represent, in accordance with my opinion of the reliability to be placed upon any statement of those experts whose views and opinions conflict.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. MAGNUSON. I respect the gentleman's independence of mind. A moment ago he made a statement that he had some fear. I see my colleague from Oregon standing. We on the Pacific coast, if there were a war scare, would have something to cause us to fear, too.

Mr. BOILEAU. A battleship is not going to do you any good. See what happened a couple of days ago. Eighteen Navy planes went from the Pacific coast to Hawaii, more than 2,500 miles, and all reached their destination. That is efficiency. As the gentleman from West Virginia told you a little while ago, it was in a war game where the Navy was out on the seas looking for the Army, the Navy was looking for them, expected them, that the Army planes were able, while the Navy was looking for them, to sneak up on the fleet and at an altitude of 14,000 feet hit the small target. At this height a plane can dive first this way and then that way, change its course every few seconds, and it is impossible for antiaircraft equipment to reach them because by the time the bullet gets to the place they were, they have changed their course and are some place else. Remember, too, that these planes can hit a target 8 by 12 feet in size 75 percent of the time at an altitude of 14,000 feet. This being so, what could they do to one of these floating targets we call battleships?

[Here the gavel fell.]

Mr. THOM. Mr. Chairman, I rise in opposition to the amendment.

Mr. UMSTEAD. Mr. Chairman, will the gentleman yield? I would like to see if I can work out a limitation of time for debate on this amendment.

Mr. THOM. I yield.

Mr. UMSTEAD. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 35 minutes, not including the time used by the gentleman from Ohio.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. THOM. Mr. Chairman, we have been hearing today what, I fear, are curbstome opinions on the value of the battleship as an instrument of warfare. For those who are not lawyers, it might be well to say that a curbstome opinion is the kind that a lawyer offers to some friend who stops him on the street and asks a legal question. It is offered without any previous investigation or resort to the lawbooks for information. When the lawyer returns to his office it suddenly occurs to him that he did not take into account some certain factor in arriving at his curbstome opinion. He rushes to his lawbooks and closes them with the hope that the curbstome opinion will not be acted upon. I feel that those today who are so sure about the ineffectiveness of the battleship might change their minds if they, too, looked into the books and read of the past experience with the battleship.

The first menace to the battleship was the old torpedo boat. It was a small craft that literally sneaked up on the battleship, quickly discharged a torpedo and then disappeared. Its use was then hailed as the death of the battleship. However, the torpedo boat was soon driven from the seas by that new unit of warfare which we know as the destroyer. Battleships are now escorted by flotillas of destroyers which clear the way for them—and do this pretty effectively.

The next menace to the battleship was the submarine. During the World War it appeared for a time that the submarine had mastered the control of the seas. Again there came into play a well-established naval maxim that whenever a weapon of offense is created there is always an effective form of defense. The battleships of the English fleet made their way around during the World War and not a single one of them was torpedoed. Instead, His Majesty's ship, the *Dreadnought*, actually destroyed one submarine. Of the 400 submarines of the German Government, I believe 200 were put out of commission through the use of submarine chasers and destroyers. I think it is generally conceded that by the end of the World War the submarine's deadliness was pretty well counteracted.

We are now told that the battleship is wholly ineffective because of the possibilities of destruction from the air. We must acknowledge that the large bombers of the air will be its dangerous enemies. However, it is to be remembered that the battleship is not a fixed type and that its style is continuously changing to meet new opposition. It is now equipped with antiaircraft guns whose fire will continue to grow in intensity. Its armor is thicker and so arranged in turtle-back fashion as to deflect falling bombs. It must not be forgotten, too, that the battleship will have its own airplane escort and that the enemy airplanes will not have free occupancy of the air.

The airplane attacks the battleship in three ways: It drops bombs from a high level, and since the battleship is a small target, it is agreed that so-called level bombing from a great height does not offer much hope of success. Then there is dive-bombing, where the airplane swoops down to within easy reach of the battleship. This sort of a performance will be extremely hazardous in view of the antiaircraft defenses. Then the airplane can drop a time bomb in the water adjacent to the battleship. This will require a lot of skill. It is pointed out that the approach of hostile aircraft will be met by the airplanes of the fleet to be attacked. Whichever airplane fleet obtains control of the air will, of course, have a great advantage in attacking the battleships of the opposing force.

Anyway, it ought to be remembered that if the battleship cannot keep the sea, owing to the menace of aircraft, then neither can the cruiser, the destroyer, nor the aircraft carrier. In fact, no surface boats will be useful in naval warfare. The battle of Jutland, in which 28 battleships of England were engaged and 22 of Germany, did not involve any airplane fighting. All in all, in this engagement the battleship

performed very successfully. The German battleships by night broke through the cordon of English destroyers and reached their home harbor with a loss of but one battleship. This would seem to indicate that the battleship has a way of protecting itself and that it is not an easy prey for even the active destroyer.

This whole subject of the vulnerability of battleships, especially from the air, was studied by a committee of the English Parliament, and I am sure that their conclusions ought to have weight with us. Let me read from this report:

We do not find that the question is settled (whether capital ships are essential). It may never be settled without the test of war, but the information at present at our disposal leads us to believe that the day of the capital ship is not over, now or in the near future; to assume that it is, and to cease to build them, would lead to grave risk of disaster.

It is possible to state the matter in the simplest possible terms. The advocates of the extreme air view would wish this country to build no capital ships (other powers still continuing to build them). If their theories turn out well founded, we have wasted money; if ill founded, we would, in putting them to the test, have lost the Empire.

The CHAIRMAN. The gentleman from Washington [Mr. MAGNUSON] is recognized for 4 minutes.

Mr. MAGNUSON. Mr. Chairman, I am reluctant to speak on this matter because what I have to say is sectional and of necessity somewhat partisan. I am not an authority on naval matters, but I do know, Mr. Chairman, and I want to point out to the Members of the House, that the main reason for a Navy, if there is any justification at all for the expenditure of this money, is national defense. You may ask, "Who is going to attack us?" If you were to stop a hundred men on the street or if I were to quiz each and every Member of the House, the first answer would be, "If there is any threat of attack, it may come from the Orient or from Japan."

Mr. Chairman, we talk a great deal about airplanes and battleships. The Members of the House know that the tip of the Aleutian Islands is just 643 miles from the mainland of Japan. Did you know that in the past 3 years Japanese interests have been anchored 3 miles off the coast of Alaska, around the tip of the Bering Sea, scooping all of the Alaskan salmon out of those waters? We have asked them to stop, but what do they say? They tell us, "We will not stop until you quit fishing for tuna off the coast of Mexico." Probably that is a pretty good answer.

Mr. Chairman, in voting for this bill I do so in gratitude, because the Pacific Northwest is very grateful to the committee and to the House for realizing the need of national defense, whether it be by battleships or airplanes. I know if we are to meet the threat of an oriental invasion, if there be one, and I do not know whether there is or not, although that is the only basis for this bill, we need those battleships up there. We need airplanes, too. But as long as Japan is building these big superdreadnaughts I think we ought at the same time meet their building program. [Applause.]

What is the other reason for a navy? If you understand the oriental mind like I do, and I have lived among them, it is so that we will not lose face. Do you want my opinion as to why the Japanese sunk the *Panay*? All these Chinese over there are excited. They have had the feeling that here are England, France, and Great Britain all backing them up. Japan is afraid of these nations. Therefore the Japanese were losing face. They deliberately set out to save their face and stated in effect, "We will prove to these Chinamen we are not afraid of anybody. But who will we pick on? Who is the greatest nation in the world?" They, therefore, went out and sunk a little ship for us so that the Chinese would say to themselves, "Well, they are not afraid." Japan has, therefore, not lost face with China and this started demoralization of the whole Chinese Empire.

Mr. Chairman, I repeat, I am grateful for the attitude of the House. I know my colleague from Oregon is, and I know the Delegate from Alaska is, because if there is any threat, it comes to our sections of the country.

Mr. BOILEAU. Will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. Does the gentleman believe we should go in competition with these face-saving propositions?

Mr. MAGNUSON. No.

Mr. BOILEAU. Does the gentleman think we ought to have additional battleships to save our face?

[Here the gavel fell.]

Mr. BIGELOW. Mr. Chairman, I am convinced that we cannot get all the defensive power in the Navy that we want without taking the risk of getting an offensive power that might be abused. Certainly we do not want a Navy to go swaggering around the earth shaking a big stick and involving us in other people's wars. But we do want a Navy that is adequate for our defense. I am incompetent to judge how much of a Navy we need for that. I must leave that to the judgment of others, and I prefer to leave it to the judgment of the technicians advising the Government.

In the present state of the world, I would like a Navy that could meet, a thousand miles from our shores, the navies of any and all our foes and say to them, "You shall not pass!" Behind such a Navy, I would have an impenetrable line of defense of submarines and bombing planes and forts, to make the words of Lincoln true, who in his day said that a "foreign foe could not make a track over the Alleghenies or take a drink in the Ohio River, not in the trial of a thousand years." But I would not lift a little finger of the might of America against any other nation. I would keep the Paris pact renouncing war as an instrument of national policy, even though all other nations dishonored it. Against any other nation's insults or aggressions, I would take no revenge, except to seal our ports against the trade of the offending nation and deny to any of its ships the right to come within gunshot of any American coast.

Although I have determined to vote for all the naval power which the bill provides I did vote for the Ludlow amendment and I will do it again, the first chance I get. I was pained to hear the President and Members of this House say that a referendum vote on war would be subversive of representative government. As an old champion of the initiative and referendum, I would say that, when on the gravest of matters the people choose to speak for themselves by their direct vote at the polls, they do not subvert representative government, but merely take the precaution of insuring the representative quality of their government. I would go further than the Ludlow amendment. I have, this week, introduced a proposed constitutional amendment which prohibits the use of the draft in conscripting citizens for military service on foreign soil. We reprobate the totalitarian states of Europe, claiming that the individual has rights which even states are bound to respect. I think the right of the individual is violated when the President and Congress break into the home that is every man's castle to seize his sons, to shoot them if they protest, to ship them 6,000 miles away, to put them in vile trenches to kill or be killed. If there is anywhere that the line should be drawn between the power of the state and the right of the individual, it is there.

This, I think, is the international policy to which we should be adhering:

Asia for the Asiatics—let them fight their own wars;

Europe for the Europeans—let them fight their wars;

And the United States for anybody that can come and take it. [Applause.]

Mr. MOTT. Mr. Chairman, the distinguished gentleman from Wisconsin [Mr. BOILEAU] in his usual energetic and conscientious manner made two statements. One was that it was impossible for a foreign power to make a landing upon our shores, and the other was that the fleet was not a defensive weapon.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield.

Mr. BOILEAU. I said battleships.

Mr. MOTT. That a battleship was not a defensive weapon. I disagree with both of those statements, and I also disagree with the view so often expressed in this debate that an

attack upon the United States by a foreign power is an impossibility, or even an improbability. Anyone who has paid close attention to the trend of recent developments in the Orient and who does not see and realize at least the possibility of the involvement of this Nation with an oriental power is, it seems to me, emulating the ostrich. I would be happy if I could believe there is no such possibility, but the fact is that many people who have made the greatest study of this question are of the opinion that such a war is not only a probability but that it may be unavoidable.

No one wants war; not even a war of self-defense. As for an aggressive war, our people would not tolerate it. Everybody knows if we get into a war with any foreign power it will be a defensive war, and that it will be brought about because some foreign power has attacked us. The probability that a foreign nation at sometime will attack us and that we will be obliged to defend ourselves against that attack is the whole theory upon which our national defense rests. If there is in fact no such probability then, obviously, there would be no reason for an army, or a navy, or for any program of national defense at all.

Above everything else let us not deceive ourselves as to that fundamental and basic fact upon which the whole idea and the whole reason for a national-defense program is predicated.

The probability of war, the probability that at sometime we would have to defend ourselves against an attack from an aggressor nation, has always been with us. And I say now that those factors which make for war, and those reasons and considerations which have always impelled free peoples to arm themselves and to be prepared to meet an attack, have never been so apparent and so prevalent as they are today.

We are living today in a world gone mad. Liberty and freedom have been crushed by dictators in many countries. These dictators have no respect for the rights of their own people or for the people of other nations. They take what they think they can get and if to take it means the conquering of another nation that nation is conquered unless it is strong enough successfully to resist. These dictator governments have no scruples, no principle, no respect for treaties, no respect for anything except force. Would Italy have invaded Ethiopia if Ethiopia had had an adequate national defense? Would Japan have invaded China if China had been adequately prepared to meet the invasion? What motive except greed and avarice and the lust for power prompted these invasions? What made those invasions possible except the fact that the countries invaded were not prepared to repel the invasion?

What reasonable grounds have we for believing that this or any other free nation would escape invasion if the democracies of the world were not prepared to resist invasion? We have escaped because thus far we have been prepared. And it is our duty to continue to be adequately prepared to successfully resist any threat of invasion. That is the only kind of preparedness that is effective or that is worth anything.

Now, as to the Navy. I have said that if war should come it will be a defensive war. But that does not necessarily mean that it would commence on our shores. It would commence, in all probability, with a major naval engagement. And that engagement would likely take place somewhere near either the Hawaiian Islands or the Aleutian Islands. It is entirely conceivable that such a battle would result in the destruction of either our own or the enemy fleet. Should the enemy power defeat the United States in this naval engagement, which is certainly not impossible, may I ask the gentleman from Wisconsin what we have on the Pacific coast to prevent a landing either in Puget Sound, the mouth of the Columbia River, San Francisco Bay, or southern California? We could not possibly prevent such a landing. Certainly we could not prevent it at the mouth of the Columbia, which is utterly defenseless.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield for an answer?

Mr. MOTT. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. I may say to the gentleman we can have bombing planes, and if we do not have enough of them we ought to have more. Bombing planes will prevent any fleet from landing all the supplies and equipment they need to come over here and take us.

Mr. MOTT. In reply to the gentleman from Wisconsin, I may say that, in the first place, we have no bombing planes anywhere in the Pacific Northwest which could stand off a major air attack. At the mouth of the Columbia we have nothing. There is nothing there which will meet an attack from the sea in the air.

Mr. BOILEAU. Will the gentleman support my amendment to increase the appropriation for bombing planes? They can put them all out on the west coast as far as I am concerned.

Mr. MOTT. I do not support the gentleman's amendment because the real purpose of the gentleman's amendment is the elimination of the two additional battleships which are necessary to make the first line of defense in the Pacific effective.

Mr. BOILEAU. The gentleman can subtract 2 from 2.

Mr. MOTT. The battleship is just as much of a defensive weapon as is the airplane, and we need them both. And I think it is generally conceded we are going to have them both. We are not in a position at the present time to say what a bombing plane can do to a modern battleship, because it has never been tested. We do know, however, that up to this time experience in actual warfare has shown that the only weapon which will successfully meet an attack from a battleship is another battleship as large or larger than the attacking battleship. This is why we need a fleet in the Pacific Ocean which will be as large or larger than that of any other power which is likely to attack us.

When we do have such a fleet, and it is the purpose of the present naval program to provide it, we should protect the entire Pacific coast, most of which at the present time is entirely defenseless, not only with shore defenses but with adequate air forces based at every vulnerable and strategic point on that coast. At the mouth of the Columbia River, between Oregon and Washington, there are no modern defenses of any kind. A landing could easily be made there by any strong oriental power which might desire to attack us. The proper defense of that area should be made an important part of the military and naval establishment on the west coast.

[Here the gavel fell.]

Mr. VOORHIS. Mr. Chairman, the gentleman from Ohio [Mr. BIGELOW] has made the major portion of my speech for me. Had I been recognized before he was I would have said the same things he has said. I should have said that I voted for the Ludlow amendment and would vote for it again. I should have said that I, too, am for whatever defense armament the United States needs. I should have said I was willing to vote for any number of battleships or any other kind of armament which could be proven to me to be necessary for that purpose. I should have said I do not believe I can interpose my judgment about these technical matters against the judgment of other people better qualified. As a matter of fact, after long deliberation and studying carefully everything I could hear or read, I have decided I will vote with the committee to retain these two battleships. [Applause.]

I do this, however, with a certain heaviness of heart, for I realize that the building of these ships will not only add to our Navy but to the profits of munitions makers, who at this very moment are selling munitions to Japan. This is true because we have not taken the profit out of armament by nationalizing our munitions industries.

I want to say at this time that I believe the charges against those who are opposing these appropriations, on the ground that such Members are interfering with something they have no business to question, are utterly unfounded and ridiculous. After all, these gentlemen are not trying to interpose their judgment on technical military matters against the judgment of people who they know are

better informed than they. What they are trying to do is to have some influence in saying what direction the foreign policy of America shall take. It seems to me they have not only a perfect right but a duty as Members of Congress to take such a position. I certainly expect to take that position myself.

Had a perfected Ludlow amendment passed, there are those of us here who would have felt much more ready to vote money for ships and arms, because we would have felt that the people themselves would have possessed a means of preventing America's sending an army away to far distant foreign wars.

Now, I recognize, at least, the impossibility of our expecting that under the pressure now existing in the Far East this country can just say, "We will pick up and go home."

I recognize this would be interpreted as a sign of weakness. However, I believe at the earliest possible opportunity we should get out of China and out of every other nation where we have interests within the borders of that nation which we are expected to protect by force of arms. For we must recognize that if we propose to keep the peace, and if we propose at the same time to take a dignified and strong stand, we must pay some attention to the position where we take that stand. Is it to be on the continent of Asia, in Asiatic waters, or along the Alaska-Hawaii-Panama line? This is of utmost importance, because the extent to which our interests are allowed to reach throughout the world will determine the degree of likelihood of our being involved in war. May I make it clear that trade and commerce freely carried on constitute a very different thing from property interests and extraterritorial rights within the borders of any other nation whatever. To have peace in the world, perhaps, we must have a strong navy. We are providing for it today. But there must be sought, in addition to the curbing of aggression, a defensible world economic adjustment among the nations.

In conclusion, may I say that the most important matter in connection with this whole question has not yet been discussed. I mean this: If we permit loose talk about war which has gone on in this House today to continue and build up, the main effect of it will be to stop short every progressive domestic measure and every attempt to solve our domestic economic and social problems. For constructive progress on such humane measures as old-age pensions, public works to employ the unemployed, a workable and just monetary system, fair wages, and fair farm prices is about as likely to take place in the midst of war psychology as grapes are to grow on the scriptural thorn bush.

My earnest hope is that, with adequate national defense provided for, we will quit waving the bloody shirt and get down to business on some of our unsolved social and economic problems. If what the strongest advocates of armament tell us is true, then we should be able to do this.

Now, here is the reason I am afraid and here is the reason I am worried. Talk about national defense! True, this bill appropriates some \$11,000,000 less than the Budget estimate; but I think it most significant that we have not heard a word today or during the course of this debate about balancing the Budget, although we have under consideration a \$500,000,000 appropriation bill. Why not? Because people recognize it is absolutely essential to appropriate money for national defense. This is true, and I agree; but, believe me, an even more fundamental necessity is to appropriate sufficient money and make enough other real reforms so that Americans willing and eager to work and who are at present walking the streets without work shall be able to have it. We have got to make the right to work and earn a living—mind you, I did not say the right to receive a dole—a fundamental right of American citizenship, because unless you have a population that can be assured of an opportunity to work and earn a living you have not a solid foundation for your very civilization. The basis of our talk today is national defense, not the Budget. The basis of our talk when we get to dealing with the unemployment problem, which better be soon, ought to be simple, human justice. I am

convinced that if that is the basis we will balance our Budget sooner than otherwise.

Mr. Chairman, it is important that we realize that that kind of approach to our economic and social problem is equally a part of national defense. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I was surprised and, in fact, amazed to hear the statement of the gentleman from Oregon [Mr. MOTT] a few moments ago. If I understood him correctly, he stated in substance that it is generally conceded by a majority of the people in a position to know, or who have made a close study, that war with Japan some time in the future is inevitable. I hope I misunderstood what the gentleman said.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. MOTT. The gentleman did not correctly quote me.

Mr. JOHNSON of Oklahoma. I am glad I did not understand the gentleman correctly and would be glad for the gentleman to now state what he said, if he desires to do so.

Mr. MOTT. My statement was that it is the opinion of most people that an involvement of this country in a war with Japan is not improbable and that, in the opinion of many of those who have made the closest study of the matter, war with Japan is inevitable in the future.

Mr. JOHNSON of Oklahoma. I thank the gentleman for his statement. May I suggest that my hearing was not bad after all. But I do not for a moment agree with my good friend from Oregon. I do not believe that 1 percent of the Members of this Congress or the informed citizens of this country feel that war with Japan or any other country is inevitable. I cannot conceive of such a condition being true. I have noticed, however, that during the past several years every time it has been decided to pass a big Navy bill, carrying additional battleships, it always happens that we have some kind of a war scare and the big Navy advocates begin talking in glittering terms about the next war. But so far as I recall, the gentleman from Oregon is the first to assert that those who have made a study of the situation feel that war is inevitable.

Now, if this \$550,000,000 Navy program is desirable at this time, let us say so, but I submit in all candor that I am getting tired of being rushed off my feet with these war scares. If we can judge the future by the past, when this big Navy bill is enacted, which now seems certain, we will hear little more about a war scare with Japan or any other country, until it is decided to appropriate hundreds of millions more in order to get another fleet of battleships.

Mr. MOTT. Mr. Chairman, will the gentleman yield for just a question?

Mr. JOHNSON of Oklahoma. If I had the time I would gladly yield to the able and distinguished gentleman from Oregon, but my time is short.

Let me say again what I have stated on this floor and before the committee, that it all depends upon what this appropriation is intended for as to whether these huge floating palaces should be included in this bill. If it is our purpose to properly and adequately prepare ourselves for national defense, then I submit in all fairness that America needs coast defense, additional air bases, more and better bombers, faster and better cruisers, more destroyers, and submarines rather than the big expensive, slow battleships that are seldom used in any warfare and certainly not urgent to defend our own borders.

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Please let me finish my statement and then I will be glad to yield if I have time.

If we are really preparing for a war of aggression, or if this Congress feels that Uncle Sam should continue to patrol Chinese and Japanese waters or some other foreign waters, then certainly we ought to have bigger, faster battleships and a lot more of them. Of course, it will take 4 or 5 years to build one of them, and then within another 5 or 10 years the big, clumsy, slow battleship will be out of date if not entirely obsolete. Japan will build faster ones and lengthen the range of the guns as she is in fact already

doing. Then when the next Congress convenes someone will discover that Japan has 18-inch guns and point out that those provided for in this bill are only 16-inch we will have another war scare, and someone will discover that war with Japan or some other foe, actual or imaginary, "is in the future inevitable."

Just where is such a naval race going to end? Remember it has been only a few years ago, after a so-called disarmament conference here in Washington, that this Government actually took five American battleships out in the ocean and sent them to the bottom of the sea while the band played The Star-Spangled Banner. All this in the name of peace.

I repeat, Mr. Chairman, in all seriousness, it is a question of what we are preparing for here today. Are we preparing for our own national defense or are we preparing for a war of aggression?

I have stated on many occasions that I believe in adequate national defense. I favor all national defense possible to protect our own borders against any and all foreigners from any part of the world, but I say again that I am unalterably opposed to accepting blindly the advice and counsel of the so-called naval experts who have been taught that what America needs is these huge floating palaces. [Applause.]

Mr. JOHNSON of Minnesota. Mr. Chairman, the gentleman from Oklahoma does not have to worry about the United States not being ready for war. This is the pattern of 1914 all over again, with one exception. In 1914 the Kaiser and the Czar and France and England were girding their loins and were armed to the teeth for the next world war. Teddy Roosevelt went over and visited the Kaiser and told the Kaiser he could lick the world with his military machine. We were not quite prepared, and we had to wait 3 years to save democracy, and then we took a good shellacking financially.

Now, we are not going to do what we did 20 years ago. We are going to be ready so when they do have a battle we will be ready to take a part in it, and take a great big part, and save this world for democracy once again, and come back to the American taxpayer with another \$24,000,000,000 worth of debts.

This is all this program is going to lead you to. It is a big building program, and when you have this Navy you have got to use it. When you have such a Navy you will have people like one of the Mrs. Roosevelts who was in China and got mad at the President because he would not send the Navy over there so she could finish her Cook's tour of China recently.

This is the situation now, and the gentleman from Oklahoma does not have to worry. When the next war comes along we are going to be ready to jump into it from the top just like a frog off of a lily pad.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Minnesota. I yield.

Mr. KNUTSON. I do not know against whom we are arming, but it seems that every time we have a naval appropriation bill before the House there is some Ethiopian in the woodpile, for whom we have to keep our eyes open, who is threatening our national existence.

Mr. JOHNSON of Minnesota. The Ethiopian is probably William Randolph Hearst out on the coast.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Minnesota. Yes.

Mr. BOILEAU. Can the gentleman tell me with respect to battleships why we always have them in pairs? They call them sister ships, but I do not know why we always have them in pairs.

Mr. JOHNSON of Minnesota. Well, you have to open at least with more than a couple of jokers. [Laughter.]

Mr. O'MALLEY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Minnesota. Yes.

Mr. O'MALLEY. The gentleman realizes, of course, that without more battleships we could not cooperate with England in patrolling the Pacific, as seems to be the intent of some of the shirt-tail brigade of the British Foreign Office in our State Department.

Mr. JOHNSON of Minnesota. There is a book out now called "England Expects Every American to Do England's Duty."

Mr. MOTT. Does the gentleman from Minnesota believe in naval defense at all?

Mr. JOHNSON of Minnesota. Yes.

Mr. MOTT. Does the gentleman believe that it is improbable or impossible that a foreign nation may attack us?

Mr. JOHNSON of Minnesota. I do not think it is impossible, but I know that we had to travel 2,000 miles to get to the last fight.

Mr. MOTT. The gentleman thinks it is improbable that any foreign power will attack this country?

Mr. JOHNSON of Minnesota. Oh, I do not think Japan is going to bother your citrus crops at all out there in California or on the coast.

Mr. MOTT. Then why is the gentleman in favor of any naval defense at all, since it is improbable that such a thing may occur?

Mr. JOHNSON of Minnesota. I do not want a naval defense like the gentleman from Ohio [Mr. THOM], who, when talking about battleships, always gets back to the point where he says that if the bombers come and if our battleships are there, we will have other bombers to fight them. In other words, that battleships are just out for the sake of a ride on the waves, and that is why they are in this kind of a program.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HARLAN. Mr. Chairman, this prolonged debate has impressed me that we are suffering from confusion of reasoning rather than material difference in what we are trying to do. We have confused our unanimous aversion to a foreign war with our ideas as to the methods of conducting a war when we get into one. The reasoning goes something like this: We do not like foreign aggressive wars. Naval vessels of attack make foreign wars possible. Therefore, eliminate vessels capable of carrying a war to the enemy. The fallacy in this reasoning is that no one has ever produced any satisfactory evidence that the possession of weapons or the lack of weapons has ever affected our inclination to go to war when the mania hit us.

We started the Civil War, as General von Moltke said, "with armed mobs." In the nineties we were bristling to fight Great Britain over the Venezuelan border dispute with practically no Army or Navy at all.

There is no instance in our history which would prove that the possession of weapons has anything whatsoever to do with our inclination to fight when our mob passions are aroused.

The second fallacy is that even though we are fighting a war purely of defense we all want to win the war. To win any war, whether offensive or defensive, we must have weapons comparable to or better than the enemy. Since every power with whom we might possibly become engaged has weapons of offense, we must have them also, or end the war by defeat or stalemate. We could never hope for victory.

Nobody wants a foreign war. We want to protect this land and our possessions, and that is all we want to do, but there is not enough money in the Treasury of the United States to do that at the coast line. It would necessitate adequate fortresses, armed forces, mines, and airplanes at every point on our coast. We simply cannot afford that.

If we get into a war, whether it is offensive or defensive, our tactics are just the same. We must strike as hard as possible as quickly as possible and keep war's destruction as far from our land as possible. Who would ever think of one of two football teams, for example, saying to the other, "You can have the ball all of the time; all we will do will be to defend the goal." That would be absurd, and just as soon as we tell foreign powers that we have no navy that can take the offensive, the war is over so far as we are concerned.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. HARLAN. I cannot yield now. All the enemy would do would be to move around from place to place and attack

us in different places, and we could not defend ourselves. Any war, offensive or defensive, has to be carried on by aggressive tactics. Do you want just to sit around and have your ports blockaded, your merchant ships sunk, and yourselves starved to death by the enemy? We will never do that. No nation has ever won that kind of a war. If we get into a war, we want to win it; and if we do, we have to have instruments of attack as well as defense, and the advice and opinion of men who have given their lives to this purpose, who know what we need, should be followed. I think we are safe at least in following their advice, or we should get other naval experts whose advice we can follow.

The gentleman from Wisconsin [Mr. BOILEAU] talks about these bombing planes darting and ducking around and dropping their bombs, and said that we could not hit them.

A modern bombing plane, if it is going to hit a target, has to sail for a very definite length of time on a straight line. Otherwise, if it darts and ducks around, as the gentleman from Wisconsin suggests, we do not need to worry about it, because it cannot hit anything, and it is that feature that has made our antiaircraft defense guns so absolutely effective. We can take a sight on a plane and then take a second sight, and we know the height, and the distance, the speed, and the range, and knowing the plane must go in a straight line if it is to drop bombs, we can hit it. If the gentleman had seen that as I have he would not talk so glibly about the effective dodging power of bombing planes.

Mr. BOILEAU. Oh, I think I have seen about 25 times as many airplanes in active service as the gentleman.

Mr. HARLAN. Probably the gentleman did, about 20 years ago. Comparatively, that was the neolithic age in antiaircraft defense.

Mr. BOILEAU. I have read up on the subject and I know something of what I am talking about.

Mr. HARLAN. I will admit that I am no expert.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FADDIS. Mr. Chairman, first I want to say that the reference of the gentleman from Minnesota [Mr. JOHNSON] to the book *England Expects Every Man To Do His Duty* seems to be upside down. The gentleman quoted it on the wrong side and it is quite evident that the gentleman has read only the title of the book and not the text, because it is anti-English not pro-English propaganda.

Mr. Chairman, it should be quite apparent by this time that the design of those offering the amendment increasing the appropriation for airplanes was anything but sincere. Those who professed to be so favorable to more airplanes for the Navy, now are back with an amendment which most certainly would hamper the operation of the airplanes already there. They wish to take away the battleships which are the protectors of the carriers of the planes and the auxiliary craft necessary to their maintenance and operation. The airplane is not a self-sustaining unit of warfare by any manner of means. It is the least self-sustaining of any of the implements of warfare. It must have a nearby base from which to operate. It is what should be properly called a weapon of opportunity. Unsupported and unassisted it has a very limited opportunity for operation.

I now want to take up the argument that the gentleman from Wisconsin [Mr. BOILEAU] advanced when he quoted Admiral Bristol in reference to the defense of our harbors. The gentleman quoted Admiral Bristol, if I did not misunderstand him, as saying that our coast line could be defended by means of mines, coast fortifications, and such appliances. Am I correct?

Mr. BOILEAU. I stated that Admiral Bristol claimed that the protection of our harbors and our coasts would be largely by use of the Air Corps, submarines, mines, and land fortifications. He made that statement in 1932.

Mr. FADDIS. Exactly; I thought I understood the gentleman correctly. I submit to the members of the Committee this thought, that when any unit of naval or military forces is sent out with the object of protecting a certain territory, it is not sufficient in the accomplishment of that mission

that they squat down on the city or particular piece of land they seek to defend. It is impossible to defend any city or piece of land in that manner. In order to defend any certain section of the country, any city, or any other part of the coast line it is necessary to go way beyond the section which it is sought to defend in order to prevent the forces of the enemy from bringing to bear on it the fire of whatever forces they are bringing against the section. Otherwise they will lie outside the range of all the mines, torpedoes, and everything else you can bring to bear against them, and reduce it by gunfire. We have a very recent example of this in the manner which the Chinese employed to defend Shanghai. They did the best they could because of their lack of battleships. They undertook the defense in the very manner advocated by the gentleman from Wisconsin, and today Shanghai is a mass of ruins. We do not wish our defense of our territory to have such a result. [Applause.]

The CHAIRMAN. The gentleman from Georgia [Mr. VINSON] is recognized for 4 minutes.

BATTLESHIPS

Mr. VINSON of Georgia. Mr. Chairman, yesterday the distinguished gentleman from Oklahoma [Mr. MASSINGALE], said that during the years that he had been in Congress he "had never voted for an Army or Navy appropriation bill," but further added "That the conditions in the world are such that I feel somewhat compelled to change my views."

There are no pacifists in this House. We are confronted with facts and not theories. We are confronted with world conditions.

We all have the same objective. We are actuated by the same impulses, and that is, to give to the people of this Nation an adequate national defense—a Navy second to none.

Let me say to you that I am not going to engage in a controversy with any of my colleagues in regard to airplanes versus battleships, for I am no expert. I do not know, and no one knows until they are actually tried out in battle which is superior and the most effective.

But I do know that it is absolutely essential and imperative that in order for this Nation to have an adequate national defense that we have both airplanes and battleships.

Aviation is the eye of the Navy; battleships are the backbone of the Navy. We cannot afford to do without either one. It is absolutely essential that we have aviation and that we have battleships.

I yield to no Member of this House in my enthusiasm for naval aviation. It was a program that I submitted here in 1934 that brought that branch of our Navy up to 2,000 serviceable planes and we can point with pride to the fact that we have a naval air force second to none.

Let me say to you that woe be unto any nation that will send its fleet out without battleships to engage in a naval battle with a nation that has battleships.

The navy without battleships would be destroyed by the navy with battleships before the navy without battleships ever could get in range of the navy with battleships.

The two battleships in this bill are replacements. They are to replace the old battleships *New York* and *Nevada* which are 26 years old.

Let me say to you that I am unalterably opposed to the youth of America being forced in case of a national emergency to do battle in old and obsolete ships. They are at least entitled to be accorded weapons equal to those of the enemy.

It would be suicidal to send one of these 26-year-old battleships to engage in battle with a modern and up-to-date battleship.

In the event of a national emergency the youth of this land should at least be accorded the same security of defense as is given that of the enemy.

You cannot escape the conclusion that the armament of other nations necessarily compel and forces us to use the same kind of armament.

The use in the Army by foreign powers of machine guns, tanks, and poisonous gases, necessarily forces this country to use the same character of weapons.

If the enemy is armed with machine guns, we do not want our youth armed with popguns.

Other nations have battleships.

If other nations did not have them, we would not be forced to build them, but the defense and welfare of this country requires that in view of the fact that other nations have battleships, that we too have battleships.

Give to the youth of this land upon whose shoulders the future of this country depends the same weapons of defense as used by other nations of the world.

I long to see the day come when agreements can be reached limiting armaments, but until that day does come, we are forced to lay down the same kind of ships that other nations do. [Applause.]

The CHAIRMAN. All time for debate on this paragraph has expired.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. BOILEAU].

The question was taken; and on a division (demanded by Mr. BOILEAU) there were—ayes 27, noes 101.

So the amendment was rejected.

Mr. BOREN. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the Record on a subject not connected with the bill.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BOREN. Mr. Chairman, I am in full accord with the program for economy in government, and I sincerely hope we will be able to lessen the cost of Federal Government to the American taxpayer. Every vote I have cast since I have been in Congress will show that I have acted in a constant disposition to prevent extravagance and waste and to promote a practice of frugality, careful saving, in the outlay of Government projects and programs. The pendulum of government spending has throughout the twentieth century swung violently from one extreme to the other and confronted by the crossbone and skeleton head labeled in red "The Budget," all hands have now turned to push the pendulum to a sharp recession in Government spending. It is a matter of great satisfaction to me to notice the disposition of the Congress as a whole to concur in the opinion which I seemed to hold almost in personal isolation a very few months ago. But I find myself in the peculiar position of fighting for some slight liberalization of economy moves which go beyond frugality and practical adjustment to the needs of the Nation and threaten destruction of necessary programs. And so today I who voted a constant "No" to increased appropriation for the multitude of administrations for national affairs, rise to urge a thoughtful and careful analysis of each economy step. I do not wish in any way to halt the move for economy, which comes as a blessing to the American taxpayer, but I do caution against diversion or detour from the real objective. I feel that the large curtailment of Federal expenditures should come in the overcentralized administration of affairs in Washington. There are many bureaus and commissions that have become parasitic burdens on the National Government and almost every department is juggling to fatten the abdominal regions of their bodies by amputation of the arms and hands that carry the true benefits to the extremities of the reach of their programs.

I rise to point out that the pennies to the States are being saved to satisfy the avariciousness of gluttonous bureaus in the city of Washington.

With the double veto system which permits an administrative department to issue an unfavorable report to a committee, which is in effect a primary veto, and a system which permits that same department to make recommendations to the President, which results in a second veto, and with a system which permits bureaus to recommend to Congress according to their own selfish motives, there is a growing tendency to make the country indigent to create an opulence for wasteful bureaucracy.

Mr. Chairman, these are the dangers in the present economy drive. In the religion of democracy there is but one service and that service is to the people. In the religion of democracy, there is but one supreme authority and that supreme authority is the people. In the ministry of representative government the God in Israel, if you please, the Supreme Authority from whom all benefits flow and to whom all services are due is the people. Let us economize for the people. Let us force the abdication of bureaucracy's tyranny. The bureaucrat often sets himself up as the supreme authority and takes unto himself the diviner right of power and determination of policy. In this economy move, let us smash this idolatry, destroy this heresy, and recognize the true religion of democracy, which is to render unto the people that which belongs to the people. Then, and only then, will government administration keep faith with the religion of democracy.

Mr. Chairman, I am glad that the ax of economy is cutting the underbrush of Government waste and extravagance, but I urge that the tide be kept in the channels and directed against the bureaus that have polluted the streams of frugal administration rather than permitted to rise in a blind flood to overflow the levees of rationalism and wreak destruction on the land.

At this point, Mr. Chairman, let me mention one specific example of the purport of my message here this hour. Bang's disease has ravaged the dairy and cattle-breeding industry of America, from Mexico to Canada, and from Delaware to the Golden Gate, in every one of the 48 States of this great Union. That dread disease has reached its tentacles to place undulant fever into the milk pails of the land and to spread its infectious abortion as a constant and dread threat to the livestock industry at a cost of not less than \$50,000,000 a year. The Bang's bacillus or *Brucella abortus*, has spread its insidious malady to the point that it has become "Public Enemy No. 1" to every dairyman and cattle breeder in America. In 1936 we appropriated six and one-half million dollars that year to combat this enemy. The Budget now recommends that we cut that appropriation to two and one-half million dollars. This will mean that a program which has, in a few short years, operated with such great effect, that it militates to the end that six and one-half million dollars has produced more than \$30,000,000 additional national income, will go back to a stage of practical elimination. This attempted diversion of the economy move away from bureaucratic waste to the milk pails of the Nation, is a good example of the folly of the blind march behind bureaucracy's recommendations.

The great State of Oklahoma, rich in its heritage of men who sought in a pilgrimage from all other States elbow room for real democracy, is prepared today to caution the ardor of a propagandized Congress.

To show further this one example for the need of clear thinking in the present national crisis—and I do believe that our economy moves are forced with a crisis of determination which will result in bureaucracy's benefit on one hand or public benefit on the other—in Oklahoma alone more than a million cattle have been tested and 90,000 reactors have been slaughtered and indemnity paid to the owners. Oklahoma has had as high as 600,000 head of cattle under supervision at one time. At the present time 300,000 cattle are under supervision. Over 99 percent of all cattle in five important cattle counties in Oklahoma have been tested, and six Oklahoma counties are now in a status of "Bang's-disease-free areas." But in 1934, when the program started, 14 percent of the cattle in Oklahoma were infected. Today 2.7 percent of the cattle of Oklahoma are infected. Oklahoma stands third in the Nation in the number of cattle tested for Bang's disease, and all of this great work has been carried on with a total cost of \$700,000 per year.

If we permit the proposed curtailment of this small expenditure, the infection in Bang's disease will steadily increase. State regulations to keep Bang's disease out of tested States cannot be enforced, and all of the benefits of this fine program, all of the benefits from expenditure from these funds for the last 3 years, will have been nullified.

Mr. Chairman, I respectfully submit to the Congress the great necessity for care in seeing that economy is well directed. I urge the Congress in this instance to remember the cattlemen and the dairymen and, above all, to remember the milk-consuming public. I further urge that the Congress give as much thought to the importance of finding the proper places to economize as to the importance of a program of economy.

The Clerk read as follows:

No part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no part of the moneys herein appropriated for the Naval Establishment or herein made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquisition, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquisition can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquisition, or production would not involve an appreciable increase in cost to the Government except when the repair, purchase, or acquisition, by or from any private contractor, would, in the opinion of the Secretary of the Navy, be advantageous to the national defense: *Provided*, That nothing herein shall be construed as altering or repealing the provisos contained in the acts to authorize the construction of certain naval vessels, approved February 13, 1929, and March 27, 1934, which provide that the first and succeeding alternate vessels in each category, except the 15,000-ton aircraft carrier, upon which work is undertaken, together with the main engines, armor, and armament, shall be constructed or manufactured in the Government navy yards, naval gun factories, naval ordnance plants, or arsenals of the United States, except such material or parts as are not customarily manufactured in such Government plants.

Mr. THOMPSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Illinois: On page 53, line 21, after the word "Government", strike out all the language down to and including the word "defense", in line 24.

Mr. THOMPSON of Illinois. Mr. Chairman, this amendment is offered for the purpose of protecting the navy yards and arsenals of the United States. They now receive, and have for a number of years received, a substantial portion of naval ordnance work. The language, beginning on page 52 and continuing on page 53, has been carried in naval appropriation bills for some time and has resulted in considerable work being placed in the navy yards and arsenals of the United States. I noticed in the hearings on this bill that the Assistant Secretary of the Navy asked for this proviso, or exception, in the bill that when it was in the interest of national defense, the limitations and restrictions carried in the bill could be disregarded and ordnance work placed in the hands of private contractors.

I submit, Mr. Chairman, that the Secretary of the Navy already has ample authority to place work outside the navy yards and arsenals by language already carried in the bill and which will be left in the bill.

I call attention to the language contained in the bill, beginning in line 18, on page 53, which reads "when time and facilities permit." Certainly time is the essence of practically everything, and if the Navy finds itself in a position where it needs some ordnance quicker than it can be supplied by the navy yards and arsenals, the Secretary can go outside to obtain the requirements. If the facilities of the arsenals and navy yards are not sufficient to manufacture the ordnance or the materials desired, he can do likewise. He can, under existing law, place such work with private contractors. In lines 20 and 21 there is the proviso that the work shall not be done in the arsenals or in the navy yards or in the naval gun factories unless it will not involve an appreciable in-

crease of cost. Most certainly I see no reason for the language I am seeking by this amendment to strike out.

Mr. SACKS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Illinois. I yield.

Mr. SACKS. Is it not true that the labor organizations of the employees of the navy yards are all opposed to this language in the bill?

Mr. THOMPSON of Illinois. Absolutely. I may say, further, that this amendment I am offering has the endorsement of the machinists' unions and other affiliated organizations of the American Federation of Labor. I see no need of such language being left in the bill for the reasons I have pointed out.

Mr. DORSEY. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Illinois. I yield.

Mr. DORSEY. The authority granted under this section, with the exception of this proviso, has been carried in previous appropriation bills.

Mr. THOMPSON of Illinois. It has been carried since 1923 or 1924.

Mr. DORSEY. And is proof of the fact that they have had sufficient authority during the past, and for years have been taking work from our naval establishments and arsenals and giving it to private industry.

Mr. THOMPSON of Illinois. A substantial amount, I am told. In the interest, therefore, of the employees of the navy yards and arsenals of the United States, and in the interest of the investment that the Federal Government has, this amendment should be adopted and the language stricken from the bill.

Mr. McGRANERY. Will the gentleman yield?

Mr. THOMPSON of Illinois. I yield to the gentleman from Pennsylvania.

Mr. McGRANERY. May I compliment the gentleman for presenting this amendment. At this particular time at the Philadelphia Navy Yard there are a large number of employees, who have been engaged there for years, now out of work by reason of there not being sufficient work in our shore establishments, without going to outside companies.

Mr. MAGNUSON. Will the gentleman yield?

Mr. THOMPSON of Illinois. I yield to the gentleman from Washington.

Mr. MAGNUSON. May I point out that the same situation exists in my district? The only purpose of this language in the bill would be to allow, under certain circumstances, the Secretary to go outside. As long as we have established these navy yards our first duty is to take care of them.

Mr. THOMPSON of Illinois. I may say we have a tremendous investment in the navy yards of the United States, the Navy gun factories, as well as the arsenals, and I think in the interest of preserving employment in these establishments and from the standpoint of realizing on our investment, this language should be stricken out. I therefore trust the Committee will adopt my amendment.

[Here the gavel fell.]

Mr. BRADLEY. Mr. Chairman, I rise in support of the amendment of the gentleman from Illinois [Mr. THOMPSON].

Mr. UMSTEAD. Will the gentleman yield?

Mr. BRADLEY. I yield to the gentleman from North Carolina.

Mr. UMSTEAD. Mr. Chairman, we are approaching the end of this bill, and a great many Members have spoken to me about concluding consideration of the bill in a little while. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. This is exclusive of the time which the gentleman from Pennsylvania [Mr. BRADLEY] has at his disposal.

The CHAIRMAN (Mr. BLAND). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BRADLEY. Mr. Chairman, this amendment is a little different from the amendments which the Committee has been heretofore considering. There are no technical questions involved and you do not have to be an expert to decide whether or not it is advisable for the Govern-

ment to retain as much work as possible in its own yards and establishments. Various Members may have different ideas with regard to national defense, but they can all vote for the pending amendment.

Mr. Chairman, there are in our various navy yards, not only the Philadelphia Navy Yard, as has been ably pointed out, but in all Government navy yards, facilities at the present time which are not being used. We have thousands of men in these naval establishments, including Philadelphia, New York, and those all along the Atlantic and Pacific coasts, who are being kept out of employment because the Government cannot provide work.

The language which the amendment offered by the gentleman from Illinois [Mr. THOMPSON] seeks to strike out nullifies the previous language in this section, in that it gives the Secretary of the Navy discretionary authority as to whether or not he will give this work to private yards. There is no reason why the Government of the United States should pay private industry more money for the work which it can do in its own yards.

Mr. Chairman, I submit the amendment will save money for the United States Government, and it will provide employment in the navy yards which the Government has at the present time. I therefore trust everyone will support the amendment.

Mr. MAGNUSON. Will the gentleman yield?

Mr. BRADLEY. I yield to the gentleman from Washington.

Mr. MAGNUSON. Is it not true, if the amendment carries, it will also strike out profits in the making of munitions and profits in the making of war materials, and that a vote for the amendment is a vote against profit making so far as this type of manufacturing is concerned?

Mr. BRADLEY. The point which the gentleman brings out is well taken. It will be a vote against those who derive enormous profits from the manufacture of armaments and munitions. I believe the Government should attempt to save all its money and provide work for our laboring men in the Government yards.

[Here the gavel fell.]

Mr. McGRANERY. Mr. Chairman, the distinguished chairman of the subcommittee has my heartfelt appreciation for the real, intelligent, earnest work that is represented by this bill. He has brought to the floor a bill appropriating the moneys to carry on the naval program for the year of 1939, which is a tremendous program. His explanation of the bill, which was clear, fair, and concise, merits the thanks of the membership of this House. However, I do take issue with the language set forth in the exception, and I think the amendment on page 53 as offered by the distinguished gentleman from Illinois would correct it.

The amendment offered by the gentleman from Illinois is an amendment which, in my opinion, is worthy of the consideration of the membership of this Committee. We have in our shore establishments men engaged in various technical occupations who have gone into these shore establishments as boys. Some of these men have been in the Government service for as many as 30 or more years. In the Philadelphia Navy Yard, for instance, there are facilities to take care of a great deal of work for the Navy Department, which work that navy yard does not now have, but should have. I am not in favor of work being let out to private industry when it can be performed by our own men in our own navy-yard shops, and when these men are being furloughed. I believe this Committee would be serving a real purpose in supporting this particular amendment. It will give to the Philadelphia Navy Yard and the other Government establishments a working quota, and will not in any way hinder or hamper the Secretary of the Navy in carrying out a naval program. As has been well pointed out, there is sufficient language in the bill to give discretion to the Secretary of the Navy when time is of the essence or when facilities are not available.

Mr. Chairman, I ask the Committee to support the amendment.

Mr. SACKS. Mr. Chairman, may I point out to the Committee one salient feature of this amendment which is most important. The section in the bill would give the right to the

Secretary of the Navy to go to private industry and have work performed when we have facilities for which the Government spent millions of dollars in navy yards lying idle. We have numerous navy yards where the work could be performed, but this section of the bill would let this work to private individuals.

Now, what has been the experience of the Government? It will be recalled that in connection with the bids for battleships, the navy yards were \$11,000,000 less in bid than the nearest private competitor. I see no reason for it. The men are out of work. The navy yards all over the country are not running at full capacity. If this provision is taken out of the bill yard equipment would have to be used, the technical machines we have in the navy yards would be used, and the manpower which is out of work now would be again put back to work. We should continue this work and utilize the millions of dollars we have put into the navy yards to help build these extra battleships and continue the Navy program. I see no reason for allowing the Secretary of the Navy this extra right, when he already has it, except to keep the navy yards in their present slack condition while allowing private industry to flourish at a greater profit.

[Here the gavel fell.]

Mr. UMSTEAD. At the outset, Mr. Chairman, I desire to say to the gentlemen who are sincerely interested in this provision that if I thought the language of this bill would result in what the gentlemen who have spoken apprehend, I myself should be against it. I realize they are very much interested in it, and they ought to be. They have a perfect right and, in my judgment, it is their duty to these military and naval establishments in their respective districts, to be on the alert at all times to see to it the work load is maintained upon an even keel. Permit me to say, however, the subcommittee very carefully considered this language before agreeing to insert it in the bill. If what the gentleman from Illinois [Mr. THOMPSON] states is true, that the Secretary of the Navy already has this right, then it will do no harm to leave this language in the bill.

Mr. SIROVICH. Why put it in?

Mr. UMSTEAD. The Assistant Secretary of the Navy, and I invite your attention to his words on page 33 of the report, makes a statement which I shall not read in its entirety, but I shall quote this portion:

We have thus drifted into a situation which is highly dangerous and might prove to be a fatal defect in time of war. The additional language requested will permit the Secretary of the Navy to determine what contracts should be let to private plants in order to avoid a situation which will be detrimental to the national defense.

Enough work is provided in this bill of the character to which this language refers to permit the Secretary to do what he wishes to do under this language without in any way reducing the work load now prevailing in Government establishments.

Let us draw a distinction between work in Government establishments and what this language refers to. The gentleman from Illinois has in his district an arsenal which is run by the Army. Here, in the Washington Navy Yard, we have a gun factory. This factory is the only place the United States Navy has which manufactures guns, and this factory today cannot possibly meet the entire demand. The purpose of this language, in cases such as that, is to permit the Navy to go to private manufacturing sources. There is no thought or purpose in back of the proposition to diminish the work in navy yards or arsenals. I repeat, if I thought the language would do that I should be against it myself. This language, as I understand it, is for the purpose of enabling the Secretary of the Navy, in cases where the existing facilities cannot and will not permit of production to meet present needs, to place contracts with private industries and do two things, not only enable the Navy Department to get what it needs, but also make some preparation to have additional facilities available in times of distress and emergency.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. UMSTEAD. I am sorry, I cannot yield now.

As far as I am concerned and I believe, without having any authority to speak for the other members of the subcommittee, as far as they are concerned, if next year it should develop the Navy Department has abused this language and has taken advantage of it to the detriment of men now employed in existing Government plants, I should be as quick as anyone in this House to undertake to deprive them of that right in the future. I am willing for that statement to appear in the RECORD. I have told the interested gentlemen so. However, my present judgment is that we ought to include this language as a pure matter of national defense, as requested by The Assistant Secretary of the Navy.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. THOMPSON].

The question was taken; and on a division (demanded by Mr. THOMPSON) there were—ayes 33, noes 64.

So the amendment was rejected.

The Clerk read as follows:

Office of the Secretary of the Navy: Secretary of the Navy, Assistant Secretary of the Navy, and other personal services, \$196,770.

Mr. PHILLIPS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PHILLIPS: On page 54, line 23, after the word "services", strike out "\$196,770" and insert "\$181,770."

Mr. PHILLIPS. Mr. Chairman, I have offered this amendment as a matter of protest. It strikes out the salary of the Secretary of the Navy. I offer this amendment in protest. I will ask consent to withdraw it at the close of my remarks.

On page 1073 of yesterday's RECORD will be found an address I made on the floor against the export of helium to Germany by this Government. As stated there, I protested to the President when I noticed a newspaper article stating helium is being exported to Germany. The President asked the Secretary of State to answer me. My protest was found to be correct, and that helium is to be exported to Germany. According to the letter of the Secretary of State, the gentlemen responsible for the export of helium are the following: The Munitions Control Board, which includes the Secretary of the Navy, the Secretary of War, and the Secretary of the Interior. I read to the Committee here day before yesterday a newspaper article stating that Germany is today so illiberal it bans the speeches of the President of the United States. I pointed out, too, that the German Government has also protested against speeches made by ex-Ambassador Dodd in this, our free country. I also read from a newspaper article showing that some 15 men whom you might call colleagues of ours, members of the German Reichstag, have been murdered, and the murderer has not yet been brought to justice. I showed that this helium to be exported can be used to fill about 80 observation balloons for war. Yet we let that country, Germany, have helium, when that country has broken its word in international relations. I hope every Member of this House will write these three Secretaries protesting against this shipment of helium. In the Hartford Courant of yesterday was an article stating that helium was not being shipped. I have checked with the office of the Secretary of the Interior this morning and find that this Associated Press story is wrong, and that helium is still to be shipped. I hope, I repeat, that you will write the three Cabinet officers to whom I have just referred asking that they cancel the helium export permit or permits. Under the law such permits are cancelable at any time.

I now ask consent to withdraw this amendment.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The Clerk read as follows:

SEC. 2. No part of any money appropriated by this act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their

domiciles and places of employment except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the Department. This section shall not apply to any motor vehicle for official use of the Secretary of the Navy, and no other persons connected with the Navy Department or the naval service, except the commander in chief of the United States Asiatic Fleet, Marine Corps officers serving with expeditionary forces in foreign countries, and medical officers on out-patient medical service, shall have a Government-owned motor vehicle assigned for their exclusive use.

Mr. FISH. Mr. Chairman, I offer a motion, which I have sent to the Clerk's desk.

The Clerk read as follows:

Mr. FISH moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. FISH. Mr. Chairman, I have followed this procedure in order to discuss an amendment I propose to offer in a few minutes which I presume is not germane to the bill, but I propose to request the Democratic leadership to permit a vote upon the amendment. The chairman of the subcommittee has stated he would not make a point of order against the amendment, which reads as follows:

That the President is authorized and requested to invite such governments as he may deem necessary or expedient to send representatives to a conference at Washington or elsewhere for the purpose of entering into agreements for the limitation of naval armaments.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. PHILLIPS. I would like to have the gentleman tell the Members of this House whether he thinks the German Government and the Japanese Government keep their word in international treaties; in other words, whether it would be a good thing for us, who keep our word, to sit in with nations that do not?

Mr. FISH. I am very glad the gentleman has asked that question, because we have already had ample experience in the Washington Treaty of 1922 with the Japanese Government, the British Government, and the French and Italian. All of them kept their agreements absolutely, according to our own naval officers, in that limitation of naval armament treaty. I have never heard anyone say they did not keep their definite agreements.

This is identically the same procedure that brought about the Washington limitation of armament treaty. In the Senate of the United States an identical amendment was offered by Senator BORAH and was adopted by the Senate and later by the House. At that time we had a Republican President. This is not a question of partisanship at all. It is merely a question of whether we, who have the definite responsibility to provide and maintain a Navy and establish the naval policies of the United States, are to sit idly by and permit ourselves to be launched on this mad naval program in competition with the rest of the world, heading directly for war, and not do anything to try to get these nations around a table in order to try to reach an agreement on a definite limitation of naval armament.

Japan and Great Britain, through their highest diplomatic and naval representatives, have stated they would be willing to enter into such a conference, and we should take the leadership, because if we do not and if we continue this mad naval race it will engender suspicion, hatred, hostility, and eventuate in war.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. DINGELL. I would like to ask the gentleman from New York whether he does not recall the conference we held here in 1921, when the United States Government, under Harding, sunk the United States Navy and—

Mr. FISH. I will not yield any further because that is an utterly ridiculous statement.

Mr. DINGELL. It is not a ridiculous statement at all.

Mr. FISH. I will answer the gentleman. The gentleman states that we sunk the Navy. For the first time in the last

200 years Great Britain gave up naval superiority on the high seas and agreed to equality with the United States, each nation being limited to 18 battleships and Japan to 10. This went on until a year ago, and during that time we had friendly relations with both Great Britain and Japan. Now, that has been scrapped and we are launched on a naval race. I would like to know how long this madness can continue without an explosion.

Mr. DINGELL. Mr. Chairman, will the gentleman yield further?

Mr. FISH. I yield for a brief question.

Mr. DINGELL. I would like to ask the gentleman whether Japan had lived up to that obligation?

Mr. FISH. I said that Japan had absolutely lived up to her treaty limitations, and there is no American admiral who will say she has not. It is only since that treaty has expired that they have launched a big navy program, just as we are launching one now. We are starting a program that will probably lead to war, and our naval appropriations and program are much greater than Japan's. We have a chance by voting upon this proposition to say whether we are willing, at least, to sit around a table with these other nations and discuss these propositions for the sake of the peace of this country and of the world.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. PHILLIPS. In other words, I gather from the gentleman's remarks it is the gentleman's thought that Japan and Germany keep their word in one place and break it at another, and is it wise for us to—

Mr. FISH. I am not concerned with the word of other nations. I know they did keep their word in connection with the limitation of naval armament, and no one questions it, and that is the reason I bring up the matter at the present time. I propose to vote for this bill providing for two additional battleships, but I cannot understand why Congress sits idly by and refuses to even permit the consideration of my conference amendment. I challenge the Democratic leaders to refrain from making a point of order against it and let the Members of Congress vote on it on its merits. If you do not, the responsibility is yours if the whole world arms to the teeth and drifts helplessly and hopelessly into war, ruin, and disaster.

[Here the gavel fell.]

The CHAIRMAN. The question is on the motion of the gentleman from New York [Mr. FISH].

The motion was rejected.

Mr. FISH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FISH: On page 62, after line 6, add a new section, as follows:

"That the President is authorized and requested to invite such governments as he may deem necessary or expedient to send representatives to a conference at Washington or elsewhere for the purpose of entering into agreements for the limitation of naval armaments."

Mr. FERNANDEZ. Mr. Chairman, I make the point of order that the amendment is not germane and that it is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. FISH. I do not care to be heard on the point of order; I do not dispute the point of order. The gentleman from Louisiana must take the responsibility.

The CHAIRMAN. The Chair sustains the point of order. It is not germane, and it is legislation on an appropriation bill.

Mr. SCOTT. Mr. Chairman, I move to strike out the last word. Yesterday I offered an amendment, which was adopted by the Committee, that would stop the present selective method right where it is. I told the Committee at the time that there was one reason why I was offering that amendment, and that reason was that I do not approve of the present method of selection and promotion in the United States Navy. I do not believe it is fair, or just, or that it is the best method of selection that we could adopt.

I offered the amendment because we have not in the House taken the action that I think we should take in attempting a revision of the selective method. I figured that if we stopped the selection entirely for a year, then the Navy Department and the Naval Affairs Committee would begin immediately a study of our selection method. Since that amendment was adopted in the Committee, I have conferred with the chairman of the Committee on Naval Affairs, and we have reached an agreement that just as soon as the additional construction bill is reported by the Committee on Naval Affairs, which, I think, will have been done by the first of next month, the Naval Affairs Committee will be called together to hear proposals for revision of the selection system. There are some four or five bills that have been introduced, all with the purpose of improving the method of promotion. I have been promised that each of these bills will be heard; that each of those bills, and any other bills that may be introduced between now and then, will have a full and complete hearing; and that it is the intention of the committee to do its level best to improve the method of selection and promotion in the Navy. That was the purpose that I had in mind when I offered the amendment. I have received that assurance from the chairman of the committee.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. Yes.

Mr. VINSON of Georgia. Mr. Chairman, in the first instance let me say that I do not think the thought should become prevalent that the Naval Affairs Committee or its chairman should be criticised in the slightest degree for not having hearings on the matter of selection. To keep the record straight, at the request of the gentleman from Pennsylvania [Mr. DITTER] last year, I called the committee together to make inquiry respecting improvement in the selection method. Mr. DITTER appeared before the committee, as did also Mr. HOBBS and the gentleman from Pennsylvania [Mr. DALY]. After about 10 days or 2 weeks hearing we got far enough along and I introduced a bill. That bill was referred to the Bureau of the Budget to determine whether or not it was in accordance with the President's financial program. That bill is still pending before the Budget. It has been the policy of the committee in every instance, except one, to hesitate to present a bill unless it is in accordance with the financial program of the President.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. VINSON of Georgia. I ask unanimous consent that the time of the gentleman be extended for 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. VINSON of Georgia. Let me say to the membership of the House that I am just as anxious as any Member to have a fair and satisfactory selection system, based upon merit. I am opposed to a system of promotion that is based on favoritism, seniority, or any other selective system than one of merit, and I shall be more than delighted to have a hearing, if the other members of the committee will agree with me, to see if we can work out a satisfactory selection bill and I respectfully invite every Member of the House to join with the committee in trying to work out a satisfactory bill. For that reason I urged the committee yesterday to reject this amendment because it is legislation of such a character that it should be considered in a calm, dispassionate manner, and not by limitation on an appropriation bill. Therefore I assure the gentleman who has a bill before the committee, or any other Member, that if he will ask for a hearing, or whether they do ask for a hearing or not, we will grant a hearing and try to work out such a bill, in accordance with the financial program of the President relating to the selection of and promotion system in the Navy as will be satisfactory.

Mr. SCOTT. I wonder if the gentleman could set a tentative date for the beginning of those hearings.

Mr. VINSON of Georgia. If the gentleman has a bill—my bill I introduced is still pending before the Budget—I am willing to set it for the first week in February.

Mr. SCOTT. I should like to use a portion of the time at my disposal to complete the statement I wish to make. If the gentleman will make his question short, I will yield.

Mr. McFARLANE. The gentleman knows that I had the honor of serving on this committee for some 4 years when we were fighting for these same hearings that it is threatened we shall receive under a very indefinite promise. I think we are wasting our sweetness on the desert air if we continue to wait for these hearings. I am wondering if the gentleman has agreed to some kind of understanding whereby he has taken down his flag under the circumstances?

Mr. SCOTT. I do not look at it in the same way. No; I have received assurance, and now the committee has received assurance from the chairman of the Committee on Naval Affairs, that the hearings on all such bills pending in the committee would be had, and that they would start, according to him, the first week in February. This assurance is sufficient to me. I am willing to take the word of the chairman of the committee. It has always been good with me. And let me say that my action was a criticism of no one in particular. My action was solely for the purpose of getting hearings started. They will start.

For this reason, when a separate vote is asked on the amendment which I offered yesterday, and which was adopted, I am going to release anybody who may have made a promise to me to follow through on it. I am going to suggest that they do as they please about it. For myself, since I have accomplished the purpose I had in mind, and since the hearings will start early in February, I am going to vote against the amendment myself.

I feel that I can assure the Members who voted with me yesterday that our purpose has been accomplished and that no additional objective with merit could be accomplished by retaining the amendment in the bill. I appreciate the support that was given me in the committee but now ask that those who voted with me yesterday vote with me today to eliminate the so-called Scott amendment.

Mr. DITTER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I regret exceedingly the turn of affairs today. If the proponent of the amendment which carried yesterday feels that he must pull down his flag, there are a substantial number of men on both sides of the aisle who have not pulled down their flag. [Applause.] We stand where we stood yesterday. There may be only a very small number of us, but those of us who proposed, supported, advocated, and urged the amendment yesterday are not withdrawing from the battle line or giving over any one of our ships to the enemy. We are not retreating. We are not pulling our punches. We are not shadow boxing. We were and we are at this time against the present selection law. Most of our guns are manned; our powder is dry; our flag is flying. We are ready to go.

I feel that no man is bound here today by anything other than his convictions. This is a simple issue. There is nothing involved here. If you were against the present selection system yesterday, you should be against it today unless the system has changed overnight. The weather may have changed, but nothing has been done to change in any way the selection system. Of course, some people change their mind—that is their privilege. But there should be something present to cause a change of front. I appeal to you today, do not vote for this amendment because you voted that way yesterday. If you are one of those men who believe in a thing today and believe otherwise tomorrow, certainly I release you, just the same as my distinguished friend [Mr. SCOTT], for whom I have the highest regard, has released you. But if you believe in conviction, if you believe that the promises that have been held out in times past have only resulted in a masquerade relief from the system, then stand firm. On this side of the aisle, on that side of the aisle, those men who feel that convictions are worth more than expedience; that consistency is more commendable than vacillation; that a degree of independence is more to be prized than the pressure which a leadership can bring to

make men change their minds—those men will stand where they stood yesterday.

Mr. SCOTT. Mr. Chairman, I ask the gentleman to yield to me.

Mr. DITTER. I yield to the gentleman; and I want to say to the gentleman that in using that phrase "pressure of leadership" I do not refer to him. I believe that the gentleman genuinely has accepted the promise which has been given to him by the chairman of the Naval Affairs Committee that the fine cause that he pleaded for yesterday will be carried out by the chairman of the committee. I believe that he genuinely and honestly believes that. I care not what others may think, I care not what others may do. As for myself and for others who rallied to the cause of these service men, I declare with pride we have not, nor will we, give up the ship. Our flag still flies. [Applause.]

Mr. UMSTEAD. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment with the recommendation that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOMASON of Texas, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 8993) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1939, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. UMSTEAD. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. DITTER and Mr. McFARLANE) there were—ayes 83, noes 110.

So the amendment was rejected.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. PLUMLEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. PLUMLEY. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. PLUMLEY moves to recommit the bill to the Appropriations Committee with instructions to deduct from the appropriations therein made all sums appropriated for the reopening of the ordnance plant at Alexandria, Va.

Mr. UMSTEAD. Mr. Speaker, on the motion to recommit I move the previous question.

The previous question was ordered.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. PATMAN) there were—ayes 283, noes 15.

So the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL HOUSING ACT

Mr. STEAGALL. Mr. Speaker, I call up the conference report on the bill (H. R. 8730) to amend the National Housing Act, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8730) to amend the National Housing Act, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That this Act may be cited as the 'National Housing Act Amendments of 1938.'"

"Sec. 2. Subsections (a) and (b) of section 2 of the National Housing Act, as amended, are amended to read as follows:

"Sec. 2. (a) The Administrator is authorized and empowered, upon such terms and conditions as he may prescribe, to insure banks, trust companies, personal finance companies, mortgage companies, building and loan associations, installment lending companies, and other such financial institutions, which the Administrator finds to be qualified by experience or facilities and approves as eligible for credit insurance, against losses which they may sustain as a result of loans and advances of credit, and purchases of obligations representing loans and advances of credit, made by them on and after the date of the enactment of the National Housing Act Amendments of 1938 and prior to July 1, 1939, or such earlier date as the President may fix by proclamation upon his determination that there no longer exists any necessity for such insurance in order to make ample credit available for the purpose of financing alterations, repairs, and improvements upon urban, suburban, or rural real property, by the owners thereof or by lessees of such real property under a lease expiring not less than six months after the maturity of the loan or advance of credit. In no case shall the insurance granted by the Administrator under this section to any such financial institution on loans, advances of credit, and purchases made by such financial institution for such purposes on and after the date of the enactment of the National Housing Act Amendments of 1938 exceed 10 per centum of the total amount of such loans, advances of credit, and purchases. The total liability which may be outstanding at any time plus the amount of claims paid in respect of all insurance heretofore and hereafter granted under this section and section 6, as amended, shall not exceed in the aggregate \$100,000,000."

"(b) No insurance shall be granted under this section to any such financial institution with respect to any obligation representing any such loan, advance of credit, or purchase by it, if the amount of such loan, advance of credit, or purchase exceeds \$10,000 with respect to loans, advances, or purchases for financing repairs, alterations, or improvements upon or in connection with existing structures, or exceeds \$2,500 with respect to loans, advances, or purchases for financing the building of new structures, nor unless the obligation bears such interest, has such maturity, and contains such other terms, conditions, and restrictions as the Administrator shall prescribe in order to make credit available for the purposes of this title."

"Sec. 3. Title II of the National Housing Act, as amended, is amended to read as follows:

"TITLE II—MORTGAGE INSURANCE

"DEFINITIONS

"SECTION 201. As used in section 203 of this title—

"(a) The term "mortgage" means a first mortgage on real estate, in fee simple, or on a leasehold (1) under a lease for not less than ninety-nine years which is renewable or (2) under a lease having a period of not less than fifty years to run from the date the mortgage was executed; and the term "first mortgage" means such classes of first liens as are commonly given to secure advances on, or the unpaid purchase price of, real estate, under the laws of the State, district, or Territory in which the real estate is located, together with the credit instruments, if any, secured thereby.

"(b) The term "mortgagee" includes the original lender under a mortgage, and his successors and assigns approved by the Administrator; and the term "mortgagor" includes the original borrower under a mortgage and his successors and assigns.

"(c) The term "maturity date" means the date on which the mortgage indebtedness would be extinguished if paid in accordance with periodic payments provided for in the mortgage.

"MUTUAL MORTGAGE INSURANCE FUND

"Sec. 202. There is hereby created a Mutual Mortgage Insurance Fund (hereinafter referred to as the "Fund"), which shall be used by the Administrator as a revolving fund for carrying out the provisions of this title with respect to mortgages insured under section 203 as hereinafter provided, and there shall be allocated immediately to such Fund the sum of \$10,000,000 out of funds made available to the Administrator for the purposes of this title.

"INSURANCE OF MORTGAGES

"Sec. 203. (a) The Administrator is authorized, upon application by the mortgagee, to insure as hereinafter provided any mortgage offered to him which is eligible for insurance as hereinafter provided, and, upon such terms as the Administrator may prescribe, to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon: Provided, That the aggregate amount of principal obligations of all mortgages insured under this title and outstanding at any one time shall not exceed \$2,000,000,000, except that with the approval of the President such aggregate amount may be increased to not to exceed

\$3,000,000,000: *Provided further*, That on and after July 1, 1939, no mortgages shall be insured under this title except mortgages (1) that cover property which is approved for mortgage insurance prior to the completion of the construction of such property, or (2) that cover property the construction of which was commenced after January 1, 1937, and was completed prior to July 1, 1939, or (3) that cover property which has been previously covered by a mortgage insured by the Administrator.

"(b) To be eligible for insurance under this section a mortgage shall—

"(1) Have been made to, and be held by, a mortgagee approved by the Administrator as responsible and able to service the mortgage properly.

"(2) Involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Administrator shall approve) in an amount—

"(A) not to exceed \$16,000 and not to exceed 80 per centum of the appraised value (as of the date the mortgage is accepted for insurance) of a property upon which there is located a dwelling or dwellings designed principally for residential use for not more than four families in the aggregate, irrespective of whether such dwelling or dwellings have a party wall or are otherwise physically connected with another dwelling or dwellings, or

"(B) not to exceed \$5,400 and not to exceed 90 per centum of the appraised value (as of the date the mortgage is accepted for insurance) of a property, urban, suburban, or rural, upon which there is located a dwelling designed principally for a single-family residence (i) the construction of which is begun after the date of enactment of the National Housing Act Amendments of 1938 and which is approved for mortgage insurance prior to the beginning of construction, or (ii) the construction of which was begun after January 1, 1937, and prior to the date of enactment of the National Housing Act Amendments of 1938, and which has not been sold or occupied since completion: *Provided*, That with respect to mortgages insured under this paragraph the mortgagor shall be the owner and occupant of the property at the time of the insurance and shall have paid on account of the property at least 10 per centum of the appraised value in cash or its equivalent, or

"(C) not to exceed \$8,600 and not to exceed the sum of (i) 90 per centum of \$6,000 of the appraised value (as of the date the mortgage is accepted for insurance) and (ii) 80 per centum of such value in excess of \$6,000 and not in excess of \$10,000, of a property of the character described in paragraph (2) (B) of this subsection and subject to the same limitations and conditions which apply to such property.

"(3) Have a maturity satisfactory to the Administrator, but not to exceed twenty years from the date of the insurance of the mortgage: *Provided*, That until July 1, 1939, a mortgage of the character described in paragraph (2) (B) of this subsection shall be eligible for insurance under this section if it has a maturity satisfactory to the Administrator, but not to exceed twenty-five years from the date of the insurance of the mortgage.

"(4) Contain complete amortization provisions satisfactory to the Administrator requiring periodic payments by the mortgagor not in excess of his reasonable ability to pay as determined by the Administrator.

"(5) Bear interest (exclusive of premium charges for insurance) at not to exceed 5 per centum per annum on the amount of the principal obligation outstanding at any time, or not to exceed 6 per centum per annum if the Administrator finds that in certain areas or under special circumstances the mortgage market demands it.

"(6) Provide, in a manner satisfactory to the Administrator, for the application of the mortgagor's periodic payments (exclusive of the amount allocated to interest and to the premium charge which is required for mortgage insurance as hereinafter provided) to amortization of the principal of the mortgage.

"(7) Contain such terms and provisions with respect to insurance, repairs, alterations, payment of taxes, default reserves, delinquency charges, foreclosure proceedings, anticipation of maturity, additional and secondary liens, and other matters as the Administrator may in his discretion prescribe.

"(c) The Administrator is authorized to fix a premium charge for the insurance of mortgages under this title but in the case of any mortgage such charge shall not be less than an amount equivalent to one-half of 1 per centum per annum nor more than an amount equivalent to 1 per centum per annum of the amount of the principal obligation of the mortgage outstanding at any time, without taking into account delinquent payments or prepayments: *Provided*, That a premium charge so fixed and computed shall also be applicable to each mortgage insured prior to the date of enactment of the National Housing Act Amendments of 1938 in lieu of any premium charge which would otherwise become due after such date with respect to such mortgage: *Provided further*, That in the case of any mortgage described in section 203 (b) (2) (B) and accepted for insurance after such date and prior to July 1, 1939, the premium charge shall be one-fourth of 1 per centum per annum on such outstanding principal obligation. Such premium charges shall be payable by the mortgagee, either in cash, or in debentures issued by the Administrator under this title at par plus accrued interest, in such manner as may be prescribed by the Administrator: *Provided*, That the Administrator may require the payment of one or more such premium charges at the time the mortgage is insured, at such discount rate as he may prescribe not in excess of the interest rate specified in the mortgage. If the Administrator finds upon the presentation of a mortgage for insurance and the tender of the initial premium charge or charges so required that the mortgage

complies with the provisions of this section, such mortgage may be accepted for insurance by endorsement or otherwise as the Administrator may prescribe; but no mortgage shall be accepted for insurance under this section unless the Administrator finds that the project with respect to which the mortgage is executed is economically sound. In the event that the principal obligation of any mortgage accepted for insurance under this section or section 210 is paid in full prior to the maturity date, the Administrator is further authorized in his discretion to require the payment by the mortgagee of an adjusted premium charge in such amount as the Administrator determines to be equitable, but not in excess of the aggregate amount of the premium charges that the mortgagee would otherwise have been required to pay if the mortgage had continued to be insured under this section until such maturity date; and in the event that the principal obligation is paid in full as herein set forth and a mortgage on the same property is accepted for insurance at the time of such payment, the Administrator is authorized to refund to the mortgagee for the account of the mortgagor all, or such portion as he shall determine to be equitable, of the current unearned premium charges theretofore paid.

"(d) The Administrator is authorized to insure, pursuant to the provisions of this section, any mortgage which (A) covers a farm upon which a farm house or other farm buildings are to be constructed or repaired, and (B) otherwise would be eligible for insurance under the provisions of paragraph (b) of this section: *Provided*, That the construction and repairs to be undertaken on such farm shall involve the expenditure for materials and labor of an amount not less than 15 per centum of the total principal obligation of said mortgage.

"PAYMENT OF INSURANCE

"Sec. 204. (a) In any case in which the mortgagee under a mortgage insured under section 203 or section 210 shall have foreclosed and taken possession of the mortgaged property in accordance with regulations of, and within a period to be determined by, the Administrator, or shall, with the consent of the Administrator, have otherwise acquired such property from the mortgagor after default, the mortgagee shall be entitled to receive the benefit of the insurance as hereinafter provided, upon (1) the prompt conveyance to the Administrator of title to the property which meets the requirements of rules and regulations of the Administrator in force at the time the mortgage was insured, and which is evidenced in the manner prescribed by such rules and regulations, and (2) the assignment to him of all claims of the mortgagee against the mortgagor or others, arising out of the mortgage transaction or foreclosure proceedings, except such claims as may have been released with the consent of the Administrator. Upon such conveyance and assignment the obligation of the mortgagee to pay the premium charges for insurance shall cease and the Administrator shall, subject to the cash adjustment hereinafter provided, issue to the mortgagee debentures having a total face value equal to the value of the mortgage and a certificate of claim, as hereinafter provided. For the purposes of this subsection, the value of the mortgage shall be determined, in accordance with rules and regulations prescribed by the Administrator, by adding to the amount of the original principal obligation of the mortgage which was unpaid on the date of the institution of foreclosure proceedings, or on the date of the acquisition of the property after default other than by foreclosure, the amount of all payments which have been made by the mortgagee for taxes, special assessments, water rates, which are liens prior to the mortgage, insurance on the property mortgaged, and any mortgage insurance premiums paid after either of such dates, and by deducting from such total amount any amount received on account of the mortgage after either of such dates, and any amount received as rent or other income from the property, less reasonable expenses incurred in handling the property, after either of such dates: *Provided*, That with respect to mortgages which are accepted for insurance prior to July 1, 1939, under section 203 (b) (2) (B) of this Act, and which are foreclosed before there shall have been paid on account of the principal obligation of the mortgage a sum equal to 10 per centum of the appraised value of the property as of the date the mortgage was accepted for insurance, there may be included in the debentures issued by the Administrator, on account of foreclosure costs actually paid by the mortgagee and approved by the Administrator an amount not in excess of 2 per centum of the unpaid principal of the mortgage as of the date of the institution of foreclosure proceedings, but in no event in excess of \$75.

"(b) The Administrator may at any time, under such terms and conditions as he may prescribe, consent to the release of the mortgagor from his liability under the mortgage or the credit instrument secured thereby, or consent to the release of parts of the mortgaged property from the lien of the mortgage.

"(c) Debentures issued under this section shall be in such form and denominations in multiples of \$50, shall be subject to such terms and conditions, and shall include such provisions for redemption, if any, as may be prescribed by the Administrator with the approval of the Secretary of the Treasury, and may be in coupon or registered form. Any difference between the value of the mortgage determined as herein provided and the aggregate face value of the debentures issued, not to exceed \$50, shall be adjusted by the payment of cash by the Administrator to the mortgagee from the Fund as to mortgages insured under section 203 and from the Housing Fund as to mortgages insured under section 210.

"(d) The debentures issued under this section to any mortgagee with respect to mortgages insured under section 203 shall be executed in the name of the Mutual Mortgage Insurance Fund as obligor, shall be signed by the Administrator by either his written or engraved signature, and shall be negotiable and the debentures issued under this section to any mortgagee with respect to mortgages insured under section 210 shall be executed in the name of the Housing Insurance Fund as obligor, shall be signed by the Administrator by either his written or engraved signature, and shall be negotiable. All such debentures shall be dated as of the date foreclosure proceedings were instituted, or the property was otherwise acquired by the mortgagee after default, and shall bear interest from such date at a rate determined by the Administrator, with the approval of the Secretary of the Treasury, at the time the mortgage was offered for insurance, but not to exceed 3 per centum per annum, payable semiannually on the 1st day of January and the 1st day of July of each year, and shall mature three years after the 1st day of July following the maturity date of the mortgage on the property in exchange for which the debentures were issued. Such debentures as are issued in exchange for property covered by mortgages insured under section 203 or section 207 prior to the date of enactment of the National Housing Act Amendments of 1938 shall be subject only to such Federal, State, and local taxes as the mortgages in exchange for which they are issued would be subject to in the hands of the holder of the debentures and shall be a liability of the Fund, but such debentures shall be fully and unconditionally guaranteed as to principal and interest by the United States; but any mortgagee entitled to receive any such debentures may elect to receive in lieu thereof a cash adjustment and debentures issued as hereinafter provided and bearing the current rate of interest. Such debentures as are issued in exchange for property covered by mortgages insured after the date of enactment of the National Housing Act Amendments of 1938 shall be exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority; and such debentures shall be paid out of the Fund, or the Housing Fund, as the case may be, which shall be primarily liable therefor, and they shall be fully and unconditionally guaranteed as to principal and interest by the United States, and such guaranty shall be expressed on the face of the debentures. In the event that the Fund or the Housing Fund fails to pay upon demand, when due, the principal of or interest on any debentures issued under this section, the Secretary of the Treasury shall pay to the holders the amount thereof which is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, and thereupon to the extent of the amount so paid the Secretary of the Treasury shall succeed to all the rights of the holders of such debentures.

"The certificate of claim issued by the Administrator to any mortgagee shall be for an amount which the Administrator determines to be sufficient, when added to the face value of the debentures issued and the cash adjustment paid to the mortgagee, to equal the amount which the mortgagee would have received if, at the time of the conveyance to the Administrator of the property covered by the mortgage, the mortgagor had redeemed the mortgage and paid in full all obligations under the mortgage and a reasonable amount for necessary expenses incurred by the mortgagee in connection with the foreclosure proceedings, or the acquisition of the mortgaged property otherwise, and the conveyance thereof to the Administrator. Each such certificate of claim shall provide that there shall accrue to the holder of such certificate with respect to the face amount of such certificate, an increment at the rate of 3 per centum per annum which shall not be compounded. The amount to which the holder of any such certificate shall be entitled shall be determined as provided in subsection (f).

"(f) If the net amount realized from any property conveyed to the Administrator under this section and the claims assigned therewith, after deducting all expenses incurred by the Administrator in handling, dealing with, and disposing of such property and in collecting such claims, exceeds the face value of the debentures issued and the cash paid in exchange for such property plus all interest paid on such debentures, such excess shall be divided as follows:

"(1) If such excess is greater than the total amount payable under the certificate of claim issued in connection with such property, the Administrator shall pay to the holder of such certificate the full amount so payable, and any excess remaining thereafter shall be paid to the mortgagor of such property; and

"(2) If such excess is equal to or less than the total amount payable under such certificate of claim, the Administrator shall pay to the holder of such certificate the full amount of such excess.

"(g) Notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, the Administrator shall have power to deal with, complete, rent, renovate, modernize, insure, or sell for cash or credit, in his discretion, any properties conveyed to him in exchange for debentures and certificates of claim as provided in this section; and notwithstanding any other provision of law, the Administrator shall also have power to pursue to final collection, by way of compromise or otherwise, all claims against mortgagors assigned by mortgagees to the Administrator as provided in this section: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply

to any contract for hazard insurance, or to any purchase or contract for services or supplies on account of such property if the amount thereof does not exceed \$1,000.

"(h) No mortgagee or mortgagor shall have, and no certificate of claim shall be construed to give to any mortgagee or mortgagor, any right or interest in any property conveyed to the Administrator or in any claim assigned to him; nor shall the Administrator owe any duty to any mortgagee or mortgagor with respect to the handling or disposal of any such property or the collection of any such claim.

"CLASSIFICATION OF MORTGAGES AND REINSURANCE FUND

"SEC. 205. (a) Mortgages accepted for insurance under section 203 shall be classified into groups in accordance with sound actuarial practice and risk characteristics. Premium charges, adjusted premium charges, and appraisal and other fees received on account of the insurance of any such mortgage, the receipts derived from the property covered by the mortgage and claims assigned to the Administrator in connection therewith and all earnings on the assets of the group account shall be credited to the account of the group to which the mortgage is assigned. The principal of and interest paid and to be paid on debentures issued in exchange for property conveyed to the Administrator under section 204 in connection with mortgages insured under section 203, payments made or to be made to the mortgagee and the mortgagor as provided in section 204, and expenses incurred in the handling of the property covered by the mortgage and in the collection of claims assigned to the Administrator in connection therewith, shall be charged to the account of the group to which such mortgage is assigned.

"(b) The Administrator shall also provide, in addition to the several group accounts, a general reinsurance account, the credit in which shall be available to cover charges against such group accounts where the amounts credited to such accounts are insufficient to cover such charges. General expenses of operation of the Federal Housing Administration under this title with respect to mortgages insured under section 203 may be allocated in the discretion of the Administrator among the several group accounts or charged to the general reinsurance account, and the amount allocated to the Fund under section 202 shall be credited to the general reinsurance account; except that any expenses incurred with respect to mortgages described in section 203 (b) (2) (B) shall be charged to the general reinsurance account.

"(c) The Administrator shall terminate the insurance as to any group of mortgages (1) when he shall determine that the amounts to be distributed as hereinafter set forth to each mortgagee under an outstanding mortgage assigned to such group are sufficient to pay off the unpaid principal of each such mortgage, or (2) when all the outstanding mortgages in any group have been paid. Upon such termination the Administrator shall charge to the group account the estimated losses arising from transactions relating to that group, shall transfer to the general reinsurance account an amount equal to 10 per centum of the total premium charges theretofore credited to such group account, and shall distribute to the mortgagees for the benefit and account of the mortgagors of the mortgages assigned to such group the balance remaining in such group account. Any such distribution to mortgagees shall be made equitably and in accordance with sound actuarial and accounting practice.

"(d) No mortgagor or mortgagee of any mortgage insured under section 203 shall have any vested right in a credit balance in any such account, or be subject to any liability arising out of the mutuality of the Fund, and the determination of the Administrator as to the amount to be paid by him to any mortgagee or mortgagor shall be final and conclusive.

"(e) In the event that any mortgagee under a mortgage insured under this title forecloses on the mortgaged property but does not convey such property to the Administrator in accordance with section 204, and the Administrator is given written notice thereof, or in the event that the mortgagor pays the obligation under the mortgage in full prior to the maturity thereof, and the mortgagee pays any adjusted premium charge required under the provisions of section 203 (c), and the Administrator is given written notice by the mortgagee of the payment of such obligation, the obligation to pay any subsequent premium charge for insurance shall cease, and all rights of the mortgagee and the mortgagor under section 204 shall terminate as of the date of such notice. Upon such termination the mortgagor under a mortgage insured under section 203 shall be entitled to receive a share of the credit balance of the group account to which the mortgage has been assigned in such amount as the Administrator shall determine to be equitable and not inconsistent with the solvency of the group account and of the Fund.

"INVESTMENT OF FUNDS

"SEC. 206. Moneys in the Fund not needed for the current operations of the Federal Housing Administration shall be deposited with the Treasurer of the United States to the credit of the Fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Administrator may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued under the provisions of section 204. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not resold, and the several group accounts to which such debentures have been charged shall be charged with the amounts used in making such purchases.

"RENTAL HOUSING INSURANCE"

"Sec. 207. (a) As used in this section—

"(1) The term 'mortgage' means a first mortgage on real estate in fee simple, or on the interest of either the lessor or lessee thereof (A) under a lease for not less than ninety-nine years which is renewable or (B) under a lease having a period of not less than fifty years to run from the date the mortgage was executed, upon which there is located or upon which there is to be constructed a building or buildings designed principally for residential use; and the term 'first mortgage' means such classes of first liens as are commonly given to secure advances (including but not being limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State, district, or Territory in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and may be in the form of trust mortgages or mortgage indentures or deeds of trust securing notes, bonds, or other credit instruments.

"(2) The term 'mortgagee' means the original lender under a mortgage, and its successors and assigns, and includes the holders of credit instruments issued under a trust mortgage or deed of trust pursuant to which such holders act by and through a trustee therein named.

"(3) The term 'mortgagor' means the original borrower under a mortgage and its successors and assigns.

"(4) The term 'maturity date' means the date on which the mortgage indebtedness would be extinguished if paid in accordance with the periodic payments provided for in the mortgage.

"(5) The term 'slum or blighted area' means any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health, or morals.

"(6) The term 'rental housing' means housing, the occupancy of which is permitted by the owner thereof in consideration of the payment of agreed charges, whether or not, by the terms of the agreement, such payment over a period of time will entitle the occupant to the ownership of the premises.

"(b) In addition to mortgages insured under section 203, the Administrator is authorized to insure mortgages as defined in this section (including advances on such mortgages during construction) which cover property held by—

"(1) Federal or State instrumentalities, municipal corporate instrumentalities of one or more States, or limited dividend corporations formed under and restricted by Federal or State housing laws as to rents, charges, capital structure, rate of return, or methods of operation; or

"(2) Private corporations, associations, cooperative societies which are legal agents of owner-occupants, or trusts formed or created for the purpose of rehabilitating slum or blighted areas, or providing housing for rent or sale, and which possess powers necessary therefor and incidental thereto, and which, until the termination of all obligations of the Administrator under such insurance, are regulated or restricted by the Administrator as to rents or sales, charges, capital structure, rate of return, and methods of operation to such extent and in such manner as to provide reasonable rentals to tenants and a reasonable return on the investment. The Administrator may make such contracts with, and acquire for not to exceed \$100 such stock or interest in, any such corporation, association, cooperative society, or trust as he may deem necessary to render effective such restriction or regulation. Such stock or interest shall be paid for out of such Housing Fund, and shall be redeemed by the corporation, association, cooperative society, or trust at par upon the termination of all obligations of the Administrator under the insurance.

"(c) To be eligible for insurance under this section a mortgage on any property or project shall involve a principal obligation in an amount not to exceed \$5,000,000 and not to exceed 80 per centum of the amount which the Administrator estimates will be the value of the property or project when the proposed improvements are completed, and such part thereof as may be attributable to dwelling use shall not exceed \$1,350 per room, and the mortgage shall provide for complete amortization by periodic payments within such term as the Administrator shall prescribe, and shall bear interest (exclusive of premium charges for insurance) at not to exceed 5 per centum per annum on the amount of the principal obligation outstanding at any time. The Administrator may consent to the release of a part or parts of the mortgaged property from the lien of the mortgage upon such terms and conditions as he may prescribe and the mortgage may provide for such release. No mortgage shall be accepted for insurance under this section or section 210 unless the Administrator finds that the property or project, with respect to which the mortgage is executed, is economically sound.

"(d) The Administrator shall collect a premium charge for the insurance of mortgages under this section and section 210 which shall be payable annually in advance by the mortgagee, either in cash or in debentures issued by the Administrator under this title at par plus accrued interest. In addition to the premium charge herein provided for, the Administrator is authorized to charge and collect such amounts as he may deem reasonable for the appraisal of a property or project offered for insurance and for the inspection of such property or project during construction: *Provided*, That such charges for appraisal and inspection shall not aggregate more than one-half of 1 per centum of the original principal face amount of the mortgage.

"(e) In the event that the principal obligation of any mortgage accepted or insured under this section is paid in full prior

to the maturity date, the Administrator is authorized in his discretion to require the payment by the mortgagee of an adjusted premium charge in such amount as the Administrator determines to be equitable, but not in excess of the aggregate amount of the premium charges that the mortgagee would otherwise have been required to pay if the mortgage had continued to be insured until such maturity date.

"(f) There is hereby created a Housing Insurance Fund (herein referred to as the 'Housing Fund') which shall be used by the Administrator as a revolving fund for carrying out the provisions of this section and section 210, and the Administrator is hereby directed to transfer immediately to such Housing Fund the sum of \$1,000,000 from that part of the Fund now held by him arising from appraisal fees heretofore collected by him. General expenses of operations of the Federal Housing Administration under this section and section 210 may be charged to the Housing Fund.

"(g) The failure of the mortgagor to make any payment due under or provided to be paid by the terms of a mortgage insured under this section shall be considered a default under such mortgage and, if such default continues for a period of thirty days, the mortgagee shall be entitled to receive the benefits of the insurance as hereinafter provided, upon assignment, transfer, and delivery to the Administrator, within a period and in accordance with rules and regulations to be prescribed by the Administrator of (1) all rights and interests arising under the mortgage so in default; (2) all claims of the mortgagee against the mortgagor or others, arising out of the mortgage transaction; (3) all policies of title or other insurance or surety bonds or other guaranties and any and all claims thereunder; (4) any balance of the mortgage loan not advanced to the mortgagor; (5) any cash or property held by the mortgagee, or to which it is entitled, as deposits made for the account of the mortgagor and which have not been applied in reduction of the principal of the mortgage indebtedness; and (6) all records, documents, books, papers, and accounts relating to the mortgage transactions. Upon such assignment, transfer, and delivery the obligation of the mortgagee to pay the premium charges for mortgage insurance shall cease, and the Administrator shall, subject to the cash adjustment provided for in subsection (j), issue to the mortgagee a certificate of claim as provided in subsection (h), and debentures having a total face value equal to the original principal face amount of the mortgage plus such amount as the mortgagee may have paid for (A) taxes, special assessments, and water rates, which are liens prior to the mortgage; (B) insurance on the property; and (C) reasonable expenses for the completion and preservation of the property, less the sum of (1) that part of the amount of the principal obligation that has been repaid by the mortgagor, (ii) an amount equivalent to 2 per centum of the unpaid amount of such principal obligation, and (iii) any net income received by the mortgagee from the property: *Provided*, That the mortgagee, in the event of a default under the mortgage, may, at its option and in accordance with rules and regulations to be prescribed by the Administrator, proceed to foreclose on or otherwise acquire the property as provided in the case of a mortgage which is in default under section 210 and receive the benefits of the insurance as provided in this section.

"(h) The certificate of claim issued by the Administrator to any mortgagee upon the assignment of the mortgage to the Administrator shall be for an amount which the Administrator determines to be sufficient, when added to the face value of the debentures issued and the cash adjustment paid to the mortgagee, to equal the amount which the mortgagee would have received if, on the date of the assignment, transfer and delivery to the Administrator provided for in subsection (g), the mortgagor had extinguished the mortgage indebtedness by payment in full of all obligations under the mortgage. Each such certificate of claim shall provide that there shall accrue to the holder of such certificate with respect to the face amount of such certificate, an increment at the rate of 3 per centum per annum which shall not be compounded. If the net amount realized from the mortgage, and all claims in connection therewith, so assigned, transferred, and delivered, and from the property covered by such mortgage and all claims in connection with such property, after deducting all expenses incurred by the Administrator in handling, dealing with, acquiring title to, and disposing of such mortgage and property and in collecting such claims, exceeds the face value of the debentures issued and the cash adjustment paid to the mortgagee plus all interest paid on such debentures, such excess shall be divided as follows:

"(1) If such excess is greater than the total amount payable under the certificate of claim issued in connection with such property, the Administrator shall pay to the holder of such certificate the full amount so payable, and any excess remaining thereafter shall be paid to the mortgagor of such property; and

"(2) If such excess is equal to or less than the total amount payable under such certificate of claim, the Administrator shall pay to the holder of such certificate the full amount of such excess.

"(i) Debentures issued under this section upon the assignment of an insured mortgage to the Administrator shall be executed in the name of the Housing Insurance Fund as obligor, shall be signed by the Administrator, by either his written or engraved signature, and shall be negotiable. They shall bear interest at a rate determined by the Administrator, with the approval of the Secretary of the Treasury, at the time the mortgage was insured, but not to exceed 3 per centum per annum payable semiannually on the 1st day of January and the 1st day of July of each year, and shall mature three years after the 1st day of July following the ma-

turity date of the mortgage in exchange for which the debentures were issued. Such debentures as are issued in exchange for mortgages insured after the date of enactment of the National Housing Act Amendments of 1938 shall be exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. They shall be paid out of the Housing Fund which shall be primarily liable therefor, and they shall be fully and unconditionally guaranteed as to principal and interest by the United States, and such guaranty shall be expressed on the face of the debentures. In the event the Housing Fund fails to pay upon demand, when due, the principal of or interest on any debentures so guaranteed, the Secretary of the Treasury shall pay to the holders the amount thereof which is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, and thereupon, to the extent of the amount so paid, the Secretary of the Treasury shall succeed to all the rights of the holders of such debentures.

"(j) Debentures issued under this section shall be in such form and denominations in multiples of \$50, shall be subject to such terms and conditions, and shall include such provision for redemption, if any, as may be prescribed by the Administrator with the approval of the Secretary of the Treasury, and may be in coupon or registered form. Any difference between the amount of debentures to which the mortgagee is entitled under this section, and the aggregate face value of the debentures issued, not to exceed \$50, shall be adjusted by the payment of cash by the Administrator to the mortgagee from the Housing Fund.

"(k) The Administrator is hereby authorized either to (1) acquire possession of and title to any property, covered by a mortgage insured under this section and assigned to him, by voluntary conveyance in extinguishment of the mortgage indebtedness, or (2) institute proceedings for foreclosure on the property covered by any such insured mortgage and prosecute such proceedings to conclusion. The Administrator shall so acquire possession of and title to the property by voluntary conveyance or institute foreclosure proceedings as provided in this section within a period of one year from the date on which any such mortgage becomes in default under its terms or under the regulations prescribed by the Administrator: *Provided*, That the foregoing provisions shall not be construed in any manner to limit the power of the Administrator to foreclose on the mortgaged property after the expiration of such period, or the right of the mortgagor to reinstate the mortgage by the payment, prior to the expiration of such period, of all delinquencies thereunder. The Administrator at any sale under foreclosure may, in his discretion, for the protection of the Housing Fund, bid any sum up to but not in excess of the total unpaid indebtedness secured by the mortgage, plus taxes, insurance, foreclosure costs, fees, and other expenses, and may become the purchaser of the property at such sale. The Administrator is authorized to pay from the Housing Fund such sums as may be necessary to defray such taxes, insurance, costs, fees, and other expenses in connection with the acquisition or foreclosure of property under this section. Pending such acquisition by voluntary conveyance or by foreclosure, the Administrator is authorized, with respect to any mortgage assigned to him under the provisions of subsection (g), to exercise all the rights of a mortgagee under such mortgage, including the right to sell such mortgage, and to take such action and advance such sums as may be necessary to preserve or protect the lien of such mortgage.

"(l) Notwithstanding any other provisions of law relating to the acquisition, handling, or disposal of real and other property by the United States, the Administrator shall also have power, for the protection of the interests of the Housing Fund, to pay out of the Housing Fund all expenses or charges in connection with, and to deal with, complete, reconstruct, rent, renovate, modernize, insure, make contracts for the management of, or establish suitable agencies for the management of, or sell for cash or credit or lease in his discretion, any property acquired by him under this section; and notwithstanding any other provision of law, the Administrator shall also have power to pursue to final collection by way of compromise or otherwise all claims assigned and transferred to him in connection with the assignment, transfer, and delivery provided for in this section, and at any time, upon default, to foreclose on any property secured by any mortgage assigned and transferred to or held by him: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any contract for hazard insurance, or to any purchase or contract for services or supplies on account of such property if the amount thereof does not exceed \$1,000.

"(m) Premium charges, adjusted premium charges, and appraisal and other fees, received on account of the insurance of any mortgage insured under this section or section 210, the receipts derived from any such mortgage or claim assigned to the Administrator and from any property acquired by the Administrator, and all earnings on the assets of the Housing Fund, shall be credited to the Housing Fund. The principal of and interest paid and to be paid on debentures issued in exchange for any mortgage or property insured under this section or section 210, cash adjustments, and expenses incurred in the handling of such mortgages or property and in the foreclosure and collection of mortgages and claims assigned to the Administrator under this section or section 210, shall be charged to the Housing Fund.

"(n) In the event that a mortgage insured under this section becomes in default through failure of the mortgagor to make any

payment due under or provided to be paid by the terms of the mortgage and such mortgage continues in default for a period of thirty days, but the mortgagee does not foreclose on or otherwise acquire the property, or does not assign and transfer such mortgage and the credit instrument secured thereby to the Administrator, in accordance with subsection (g), and the Administrator is given written notice thereof, or in the event that the mortgagor pays the obligation under the mortgage in full prior to the maturity thereof, and the mortgagee pays any adjusted premium charge required under the provisions of subsection (e), and the Administrator is given written notice by the mortgagee of the payment of such obligation, the obligation to pay the annual premium charge for insurance shall cease, and all rights of the mortgagee and the mortgagor under this section shall terminate as of the date of such notice.

"(o) The Administrator, with the consent of the mortgagee and the mortgagor of a mortgage insured under this section prior to the date of enactment of the National Housing Act Amendments of 1938, shall be empowered to reissue such mortgage insurance in accordance with the provisions of this section as amended by such Act, and any such insurance not so reissued shall not be affected by the enactment of such Act.

"(p) Moneys in the Housing Fund not needed for current operations of this section and section 210 shall be deposited with the Treasurer of the United States to the credit of the Housing Fund or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Administrator may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued under the provisions of this section and section 204. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this subsection. Debentures so purchased shall be canceled and not reissued.

"TAXATION PROVISIONS

"Sec. 208. Nothing in this title shall be construed to exempt any real property acquired and held by the Administrator under this title from taxation by any State or political subdivision thereof, to the same extent, according to its value, as other real property is taxed.

"STATISTICAL AND ECONOMIC SURVEYS

"Sec. 209. The Administrator shall cause to be made such statistical surveys and legal and economic studies as he shall deem useful to guide the development of housing and the creation of a sound mortgage market in the United States, and shall publish from time to time the results of such surveys and studies. Expenses of such studies and surveys, and expenses of publication and distribution of the results of such studies and surveys, shall be charged as a general expense of the Fund and the Housing Fund in such proportion as the Administrator shall determine.

"ADDITIONAL HOUSING INSURANCE

"Sec. 210. (a) In addition to mortgages insured under sections 203 and 207 the Administrator is authorized to insure mortgages as defined in section 207 (a) (1), including advances on such mortgages during construction, covering property upon which there is located or upon which there is to be constructed one or more multifamily dwellings or a group of not less than ten single-family dwellings: *Provided*, That the property shall have been approved for mortgage insurance prior to the beginning of construction.

"(b) To be eligible for insurance under this section a mortgage shall—

"(1) Involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Administrator shall approve) in an amount in excess of \$16,000 but not in excess of \$200,000 and not in excess of 80 per centum of the amount which the Administrator estimates will be the value of the property when the proposed improvements are completed, and such part thereof as may be attributable to dwelling use shall not exceed \$1,150 per room.

"(2) Have a maturity satisfactory to the Administrator, but not to exceed twenty-one years and contain complete amortization provisions satisfactory to the Administrator.

"(3) Bear interest (exclusive of premium charges for insurance) at not to exceed 5 per centum per annum on the amount of the principal obligation outstanding at any time.

"(4) Contain such terms, conditions, and provisions with respect to advances during construction, assurance of completion, recognition of equitable rights of contract purchasers in good standing, release of part of the mortgaged premises from the lien of the mortgage, insurance, repairs, alterations, payment of taxes, default and management reserves, delinquency charges, foreclosure proceedings, anticipation of maturity, additional and secondary liens, and other matters as the Administrator may in his discretion prescribe.

"RULES AND REGULATIONS

"Sec. 211. The Administrator is authorized and directed to make such rules and regulations as may be necessary to carry out the provisions of this title.

"Sec. 4. Section 301 (a) of such Act is amended to read as follows:

"Sec. 301. (a) The Administrator is further authorized and empowered to provide for the establishment of national mortgage associations as hereinafter provided which shall be authorized, subject to rules and regulations to be prescribed by the Administrator—

"(1) To make real-estate loans which are accepted for insurance or insured under Title II of this Act: *Provided*, That no such association controlled or operated by the United States or any agency of the United States shall make any real-estate loan which is accepted for insurance or insured under section 203 of this Act;

"(2) To purchase, service, or sell any mortgages, or partial interests therein, which are insured under Title II of this Act;

"(3) To purchase, service, or sell uninsured first mortgages and such other liens as are commonly given under the laws of the State, district, or Territory in which the real estate is located to secure advances upon real estate held in fee simple, or under a lease for not less than ninety-nine years which is renewable, or under a lease having a period of not less than fifty years to run from the date the mortgage was executed, together with the credit instruments, if any, secured thereby; but the amount of the principal obligation of any such uninsured mortgage shall not exceed 60 per centum of the appraised value of the property as of the date the mortgage is purchased by the association; and

"(4) To borrow money for any of the foregoing purposes through the issuance of notes, bonds, debentures, or other such obligations as hereinafter provided."

"Sec. 5. Section 301 (d) of such Act is amended to read as follows:

"(d) No association shall transact any business except such as is incidental to its organization until it has been authorized to do so by the Administrator. Each such association shall have a capital stock of a par value of not less than \$2,000,000, and no authorization to commence business shall be granted by the Administrator to any such association until he is satisfied that such capital stock has been subscribed for at not less than par and that at least 25 per centum thereof has been paid in cash, or in Government securities at their par value, or in first mortgages or such other first liens as are described in section 301 (a) hereof, which mortgages or liens shall be taken at such value as the Administrator may determine, not exceeding (except as to mortgages insured under title II of this Act) 60 per centum of the appraised value of the property as of the date of subscription, and that the remainder of the subscription to such capital stock is payable in the same manner and at such time as may be determined by the Administrator: *Provided*, That no association shall issue notes, bonds, debentures, or other such obligations until such time as such subscriptions are paid in full in cash or Government securities at their par value or in mortgages or other liens as hereinbefore set forth."

"Sec. 6. Section 302 of such Act is amended to read as follows:

"Sec. 302. Each national mortgage association is authorized to issue and have outstanding at any time notes, bonds, debentures, or other such obligations in an aggregate amount not to exceed (1) twenty times the amount of its paid-up capital and surplus, and in no event to exceed (2) the current unpaid principal of mortgages held by it and insured under the provisions of title II of this Act, plus the amount of its cash on hand and on deposit and the amortized value of its investments in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. No national mortgage association shall borrow money otherwise than through the issuance of such notes, bonds, debentures, or other obligations, except with the approval of the Administrator and under such rules and regulations as he shall prescribe. An association may, if its bylaws so provide, accept any notes, bonds, debentures, or other obligations issued by it in payment of obligations due it at par plus accrued interest: *Provided*, That such notes, bonds, debentures, or other obligations so accepted shall be canceled and not reissued."

"Sec. 7. Section 303 of such Act is amended to read as follows:

"Sec. 303. Moneys of any national mortgage association not invested in first mortgages or other liens as provided in section 301, or in operating facilities approved by the Administrator, shall be kept in cash on hand or on deposit, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States; except that each such association shall keep and maintain such reserves as the Administrator shall by rules and regulations prescribe, and may purchase in the open market notes, bonds, debentures, or other such obligations issued under section 302."

"Sec. 8. Section 307 of such Act is amended to read as follows:

"Sec. 307. All notes, bonds, debentures, or other obligations issued by any national mortgage association shall be exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. Every national mortgage association, including its franchise, capital, reserves, surplus, mortgage loans, income, and stock, shall be exempt from taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. Nothing herein shall be construed to exempt the real property of such association from taxation by any State, county, municipality, or local taxing authority to the same extent accorded to its value as other real property is taxed."

"Sec. 9. Section 512 (a) of such Act is amended to read as follows:

"Sec. 512. (a) Whoever, for the purpose of obtaining any loan or advance of credit from any person, partnership, association, or corporation with the intent that such loan or advance of credit shall be offered to or accepted by the Federal Housing Adminis-

tration for insurance, or for the purpose of obtaining any extension or renewal of any loan, advance of credit, or mortgage insured by the said Administration, or the acceptance, release, or substitution of any security on such a loan, advance of credit, or for the purpose of influencing in any way the action of the said Administration under this Act, makes, passes, utters, or publishes, or causes to be made, passed, uttered, or published any statement, knowing the same to be false, or alters, forges, or counterfeits, or causes or procures to be altered, forged, or counterfeited, any instrument, paper, or document, or utters, publishes, or passes as true, or causes to be uttered, published, or passed as true, any instrument, paper, or document, knowing it to have been altered, forged, or counterfeited, or willfully overvalues any security, asset, or income, shall be punished by a fine of not more than \$3,000 or by imprisonment for not more than two years, or both."

"Sec. 10. Section 512 of such Act is further amended by adding at the end thereof the following new subsections:

"(d) No individual, association, partnership, or corporation shall hereafter, while the Federal Housing Administration exists, use the words "Federal Housing" or "National Housing", or any combination or variation of any of these words, alone or with other words, as the name, under which he or it shall do business, which shall have the effect of leading the public to believe that any such individual, association, partnership, or corporation has any connection with, or authorization from, the Federal Housing Administration, the Government of the United States, or any instrumentality thereof, where such connection or authorization does not, in fact, exist. No individual, association, partnership, or corporation shall falsely advertise, or otherwise represent falsely by any device whatsoever, that any project or business in which he or it is engaged, or product which he or it manufactures, deals in, or sells, has been in any way endorsed, authorized, or approved by the Federal Housing Administration, or by the Government of the United States, or by any instrumentality thereof. Every violation of this subsection shall be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or both."

"(e) Whoever, for the purpose of inducing the insurance of the accounts of any institution by the Federal Savings and Loan Insurance Corporation or for the purpose of obtaining any extension, or renewal of such insurance by said Corporation or for the purpose of influencing in any way the action of the said Corporation under this Act, makes, passes, utters, or publishes, or causes to be made, passed, uttered, or published, any statement, knowing the same to be false, or utters, forges, or counterfeits, or causes or procures to be uttered, forged, or counterfeited, any instrument, paper, or document, or utters, publishes, or passes as true, or causes to be uttered, published, or passed as true, any instrument, paper, or document, knowing it to have been uttered, forged, or counterfeited, or willfully overvalues any security, asset, or income, of any institution insured or applying for insurance by said Corporation, shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than two years, or both."

"(f) Any person who willfully and knowingly makes, circulates, or transmits to another or others any statement, or rumor written, printed or by word of mouth, which is untrue in fact and is directly or by inference derogatory to the financial condition or affects the solvency or financial standing of the Federal Savings and Loan Insurance Corporation, or who knowingly counsels, aids, procures, or induces another to start, transmit, or circulate any such statement or rumor, is guilty of a misdemeanor punishable by a fine of not more than \$1,000 or by imprisonment of not exceeding one year, or both."

"Sec. 11. Title V of such Act is further amended by adding after section 513 thereof the following new section:

"Sec. 514. The provisions of section 10 (a) 1 and 10b of the Federal Home Loan Bank Act, as amended (49 Stats. 294, 295); paragraph seventh of section 5136 of the Revised Statutes, as amended (49 Stats. 709); section 24 of the Federal Reserve Act, as amended (49 Stats. 706); subsection (n) of section 77B of the Bankruptcy Act, as amended (49 Stats. 664); section 5 (c) of the Act approved January 31, 1935, continuing and extending the functions of the Reconstruction Finance Corporation (49 Stats. 1); and all other provisions of law establishing rights under mortgages insured in accordance with the provisions of the National Housing Act, shall be held to apply to such Act, as amended."

"Sec. 12. (a) Section 35 of chapter III of the Act entitled 'An Act to regulate the business of life insurance in the District of Columbia', approved June 19, 1934 (48 Stat. 1152), is amended by inserting between paragraph (3) and paragraph (4) of such section a new paragraph to read as follows:

"(3a) Bonds or notes secured by mortgages insured by the Federal Housing Administrator: *Provided*, That the restrictions in paragraph (3) of this section in regard to the ratio of the loan to the value of the property shall not apply to such insured mortgages."

"(b) Paragraph (4) of section 35 of such Act is amended to read as follows:

"(4) Bonds or other evidences of indebtedness of the farm loan banks authorized under the Federal Farm Loan Act or Acts amendatory thereof or supplementary thereto, and bonds or other evidences of indebtedness of national mortgage associations."

"Sec. 13. The last sentence of paragraph "Seventh" of section 5136 of the Revised Statutes, as amended, is further amended by

inserting before the colon after the words 'guaranteed as to principal and interest by the United States' a comma and the following: 'or obligations of national mortgage associations'."

And the Senate agree to the same.

HENRY B. STEAGALL,
T. ALAN GOLDSBOROUGH,
M. K. REILLY,
HAMILTON FISH,

Managers on the part of the House.

ROBERT F. WAGNER,
ROBERT J. BULKLEY,
ALBEN W. BARKLEY,
FREDERICK STEIWER,
J. G. TOWNSEND, JR.,
HERBERT E. HITCHCOCK,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 8730) to amend the National Housing Act, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment is in the form of a substitute for all of the House bill after the enacting clause. Both the House bill and the Senate amendment consist almost entirely of substantially similar amendments to the National Housing Act, but the Senate amendment, in addition to its substantive provisions differing from the House bill, includes numerous clerical or formal changes, and its arrangement is different from the House bill. The bill as agreed to by the conference is a substitute for both the House bill and the Senate amendment, and it adopts most of the clerical changes and follows the form and arrangement of the Senate amendment. In order to conform to this form and arrangement the amendments to section 2 (title I) of the National Housing Act are changed in form and placed ahead of the amendments to title II.

Maximum amount of insurance under title II of the National Housing Act

The House bill (sec. 5) and the Senate amendment in substantially similar language amend section 203 (a) of the National Housing Act to make the maximum limit on mortgage insurance under title II (which in sec. 203 (a) is fixed at \$2,000,000,000, except with the approval of the President) apply to the aggregate amount of principal obligations of insured mortgages outstanding at any one time instead of to the aggregate original face amounts of the mortgages insured, but the Senate amendment provides that the aggregate amount of outstanding insurance liability, when increased with the approval of the President, shall not exceed \$3,000,000,000. The conference agreement adopts the Senate provision.

Insurance of mortgages on property not approved for insurance before completion

The House bill (sec. 5) amends section 203 (a) of the National Housing Act by adding a proviso which prohibits after July 1, 1939, the insurance (under any section of title II of the Housing Act) of mortgages on property not approved for insurance prior to completion of construction, unless the construction was commenced after June 27, 1934, and completed before July 1, 1939. The Senate amendment prohibits, after July 1, 1939, insurance of mortgages on unapproved properties unless the construction was commenced after January 1, 1937, and was completed before July 1, 1939. The conference agreement adopts the Senate provision.

Approval of mortgages

The House bill (sec. 6) and the Senate amendment in amending section 203 (b) (1) of the Housing Act both require that, to be eligible for insurance under such section, the mortgage be held by a mortgagee approved by the Administrator as responsible and able to service the mortgage properly; but the Senate amendment also requires that the mortgage shall have been made to a mortgagee likewise approved by the Administrator. The conference agreement adopts the Senate provision.

Insurance of mortgages covering up to 90 percent of appraised value of single-family residences

The House bill (secs. 7, 8, and 9) amends section 203 (b) and section 203 (c) of the National Housing Act to provide for the insurance of mortgages which cover up to 90 percent of the appraised value of the property, urban or rural, with respect to mortgages not in excess of \$5,400 (par. (2) (B) of sec. 203 (b)), and up to 90 percent on the first \$6,000 of the appraised value plus 80 percent of the balance with respect to property having an appraised value in excess of \$6,000 but not in excess of \$10,000 (par. (2) (C) of sec. 203 (b)). The House bill also permits a minimum premium charge of one-fourth percent for the insurance of mortgages accepted for insurance under paragraph (2) (B) before July 1, 1939.

The Senate amendment contains similar provisions, but omits the phrase "urban or rural" in paragraph (2) (B), prohibits acceptance of any such mortgages for insurance under either paragraph (2) (B) or (2) (C) after July 1, 1942 (sec. 203 (b) (2) (C)), permits until July 1, 1939, the 90-percent mortgages under para-

graph (2) (B) to be eligible for insurance if the maturity date does not exceed 25 years (instead of the 20-year period in the House bill and in sec. 203 (b) (3) of the Housing Act), requires that the insurance premium charge on the 90-percent mortgages under paragraph (2) (B) be one-fourth of 1 percent, provides that all other premium charges for insurance under any section of title II shall be within the minimum of one-half percent and the maximum of 1 percent now applicable to insurance under section 203, and provides that the premium charges fixed under the act as amended by the bill (H. R. 8730) shall be applicable to mortgages insured prior to the date of enactment of the bill so far as computation of premium charges accruing after such date is concerned (sec. 203 (c) of the Housing Act). The Senate amendment also provides that expenses incurred in respect of mortgages insured under paragraph (2) (B) be charged to the general reinsurance account (sec. 205 (b) of the Housing Act).

The conference agreement retains the House provision relating to insurance of 90-percent mortgages on urban and rural property with a clarifying change; omits the Senate provision prohibiting insurance of mortgages under paragraph (2) (B) and (2) (C) after July 1, 1942; adopts the Senate provisions relating to insurance of the 90-percent mortgages (par. (2) (B)) with 25-year maturity periods, making the one-fourth-percent premium charge mandatory in the case of such mortgages and providing that expenses incurred in connection with such mortgages be charged to the general reinsurance account; and adopts the Senate provisions making the 1-percent maximum premium charge and the one-half-percent minimum charge applicable to insurance of all other mortgages, and making such premium charges applicable to existing insurance in the cases of premium charges becoming due after the enactment of the bill, with clarifying language to provide that the one-fourth-percent premium charge will not apply to any mortgages insured prior to such enactment.

Insurance of farm home mortgages

The Senate amendment adds a new subsection (d) at the end of section 203 of the Housing Act to provide for the insurance of mortgages (otherwise eligible for insurance under section 203 (b)) covering farms upon which a farmhouse or other farm buildings are to be constructed or repaired, subject to the conditions that the expenditures for materials and labor in the proposed construction or repair be not less than 15 percent of the amount of the mortgage, that credit on equally advantageous terms cannot be obtained from other sources, and that the Secretary of Agriculture or his designee certify to the reasonable probability of payment out of returns from operation of the farm. The only comparable provision in the House bill is that which includes urban and rural property in section 203 (b) (2) (B) which was adopted by the conference agreement.

The conference agreement adopts these provisions to provide for insurance of mortgages otherwise eligible for insurance under section 203 (b) covering farms upon which farmhouses or other farm buildings are to be constructed or repaired, including the requirement as to the ratio of expenditures for material and labor to the amount of the mortgage, but omitting the other limitations and conditions relating to availability of credit and to certification by the Secretary of Agriculture as to probability of payment.

Debentures

The House bill (sec. 11) and the Senate amendment both amend section 204 (b) of the Housing Act to provide for exemption from taxation of debentures issued by the Administrator in connection with mortgages insured under section 203 or section 210 of the Housing Act. The Senate amendment, in addition to certain clarifying changes in the section, also provides that debentures issued in connection with mortgages insured under section 203 or 207 prior to the enactment of the bill shall continue with the same tax liability now prescribed in the Housing Act, but permits mortgages entitled to receive such debentures to receive debentures issued under the amended act, with interest at the current rate in case of new insurance. It further specifies the respective liabilities of the mutual mortgage insurance fund and the housing insurance fund in connection with insurance under section 203 and section 210 of the Housing Act; and provides that the determination of the Administrator as to the interest rate on debentures issued in connection with mortgages insured under sections 203, 207, or 210 shall be subject to the approval of the Secretary of the Treasury (sec. 204 (d) and sec. 207 (i) of the Senate amendment). The conference agreement adopts the House provision as modified by these provisions of the Senate amendment.

Certificates of claim

The House bill (sec. 12) in addition to certain clarifying changes in section 204 (c) of the Housing Act (relating to the issuance of certificates of claim to the mortgagees) provides that the certificates of claim shall cover the reasonable necessary expenses of the mortgagee in foreclosing the mortgage or otherwise acquiring and conveying the property, and that the increment accruing at a rate of 3 percent to the holder of the certificate shall not be compounded. The Senate amendment provides that certificates cover all obligations arising out of the foreclosure proceedings, and omits the provision against compounding. The conference agreement retains the House provisions allowing such reasonable necessary expenses to be covered in the certificate and prohibiting the compounding of increment on the certificate.

Contracts of the Administrator

The House bill (sec. 14) amends section 204 (e) of the Housing Act to exempt from the operation of section 3709 of the Revised Statutes (requiring advertisements for bids in case of contracts or purchases of supplies) purchases or services on account of property conveyed to the Administrator in exchange for debentures and certificates of claim. The Senate amendment limits such exemption to purchases or contracts for services or supplies (including contracts for hazard insurance) on account of such property to cases where the amount thereof does not exceed \$1,000. Similar differences between the House bill and the Senate amendment appear in a like provision in section 207 (l) of the Senate amendment (sec. 207 (j) of the House bill). The conference agreement in both places retains the House provision as modified by the Senate amendment.

Termination of insurance

The House bill (sec. 20) makes several clarifying amendments to section 205 (f) of the Housing Act (relating to the termination of insurance of mortgages foreclosed without conveyance of the property involved to the Administrator). The Senate amendment in addition provides that before the insurance shall terminate, the notice of foreclosure without conveyance to the Administrator and the notice to the Administrator of payment of the obligation by the mortgagor before maturity under such section shall be in writing, and the mortgagee shall pay the adjusted premium charge required under section 203 (c). The conference agreement adopts the House provision as modified by the Senate amendment, except that it is provided that the notice to the Administrator of payment of the obligation by the mortgagor prior to maturity shall be given by the mortgagee.

Insurance of mortgages on large-scale rental projects (sec. 207)

The House bill (sec. 22) entirely rewrites section 207 of the Housing Act relating to the insurance of mortgages on large-scale residential rental projects held by public or quasi-public housing agencies or by limited dividend corporations, and permits private corporations or associations holding such property to be eligible for mortgage insurance under certain conditions. The Senate amendment to the same section also extends eligibility for insurance to cooperative societies (sec. 207 (b) (2)); inserts a provision limiting rentals and returns on insured projects to those which are reasonable (sec. 207 (b) (2)); changes the cost limit per room from \$1,200 (House bill) to \$1,350 (sec. 207 (c)); limits eligibility for insurance to those mortgages bearing interest not in excess of 5 percent on the outstanding balance (sec. 207 (c)); provides for the issuance of certificates of claim (sec. 207 (h)) similar to those issued under section 203; and provides that debentures issued in respect of mortgages insured under section 207 be reduced in amount by 5 percent of the unpaid balance of the principal obligation when there is an assignment of the mortgage in case of a default (sec. 207 (f)). The conference agreement adopts the House provisions with the additional provisions of the Senate amendment, except that the conference agreement provides that the increment accruing on the debentures shall not be compounded, and that the debentures be reduced in amount by 2 percent of the unpaid balance of the principal obligation when the mortgage is so assigned, and allows the mortgagee, when at his option he forecloses and transfers the property to the Administrator, to get the benefits of the insurance without such deduction.

Multifamily and group-dwelling insurance (sec. 210)

The House bill (sec. 25) adds a new section 210 to the Housing Act to provide for the insurance of mortgages on property with one or more multifamily dwellings or a group of not less than 25 single-family dwellings. The Senate amendment reduces the group requirement to 10 (sec. 210 (a)); limits the maximum appraised value of the project to \$200,000 in place of the \$250,000 limit of the House bill; raises the cost-per-room limit from \$1,000 (House bill) to \$1,150 (sec. 210 (b)); and makes it a requirement for eligibility for insurance that the interest rate on the outstanding balances of the mortgage indebtedness shall not exceed 5 percent (sec. 210 (b) (3)). The Senate amendment also makes certain drafting changes eliminating subsections (c), (d), and (e) of section 210 as contained in the House bill by using the device of cross-reference to analogous provisions of title II. The conference agreement adopts the House provisions as modified by the Senate amendment with drafting changes making the cross-references unnecessary.

Rules and regulations and labor standards

The House bill (secs. 22 and 25) by separate provisions authorizes the Administrator to make rules and regulations to carry out section 207 and section 210. The Senate amendment combines these provisions in a new section 211 at the end of title II and adds provisions requiring that the rates of pay of persons employed upon the construction of property covered by an insured mortgage shall not be less than the prevailing rates of pay for work of similar nature in the same locality as determined by the Secretary of Labor, with the approval of the President, and that adequate labor standards shall be maintained on all construction on property covered by insured mortgages. The conference agreement adopts the Senate provision on rules and regulations and omits the provisions with respect to rates of pay and labor standards.

National mortgage associations (title III)

The House bill (sec. 26) amends section 301 (a) of the Housing Act to permit national mortgage associations to make loans and advances on mortgages insured under section 207, to purchase,

service, and sell mortgages insured under title II, and to purchase, service, and sell other mortgages upon the condition that such mortgages (except in case of insured mortgages) shall not exceed 60 percent of the appraised value of the property as of the date of purchase by the association. The Senate amendment retains those provisions with certain rearrangements and clarifying changes but also permits loans and advances to be made on mortgages insured under title II, and prohibits any such association controlled or operated by the United States or any agency of the United States from making any loan or advance on a mortgage insured under section 203. The conference agreement adopts the Senate provisions with certain clarifications of language.

The House bill (sec. 28) amends section 302 of the Housing Act to increase the limit upon the aggregate amount of obligations issued by a national mortgage association from 12 times the paid-in capital and surplus to 20 times such amount. The Senate amendment fixes the limit at 15 times such amount. The conference agreement retains the House provision.

HENRY B. STEAGALL,
T. ALAN GOLDSBOROUGH,
M. K. REILLY,
HAMILTON FISH,

Managers on the part of the House.

Mr. STEAGALL. Mr. Speaker, I do not deem it necessary to consume the time of the House with any extended statement in connection with this report. It is sufficient to say that while there have been numerous amendments offered by the Senate and retained in conference, with very few exceptions, all such amendments are of a clarifying technical nature and involve no matters in dispute. The substantial changes are few and they are not serious departures from the provisions of the bill as it passed the House. Briefly, these substantial changes are as follows:

The House bill provided that after July 1, 1939, the insurance operations of the Federal Housing Administration shall be limited to new construction and houses constructed between June 27, 1934, and July 1, 1939. The Senate amendment makes the limitation apply to houses constructed between January 1, 1937, and July 1, 1939, and limits the amount to which the President may increase the insurance to \$3,000,000,000. The Senate provisions were adopted by the conference.

The Senate amendment provided that 90-percent mortgages may be for as long as 25 years. There was no such provision in the House bill. This provision was adopted.

The Senate amendment provided that the new basis of computing insurance premiums shall apply to future payments on existing insurance. This provision was adopted.

The Senate amendment made eligible for insurance loans on farms under certain conditions, among which were the conditions that the loan could not be obtained elsewhere on equally satisfactory terms, and that the Secretary of Agriculture should certify to the soundness of the loan. The Senate amendment was agreed to, omitting these two conditions.

With respect to the large-scale operations under section 207, under the House bill the limit of the mortgage per room is put at \$1,200, while under the Senate amendment the limit is \$1,350. The Senate provision was adopted.

The House bill provided for the delivery of debentures equal to the full amount of the mortgage upon the assignment of the mortgage, while the Senate amendment provided for the delivery of the debentures to the extent of 95 percent of the mortgage upon assignment. The conference agreement provides that the amount of the debentures should be 98 percent of the mortgage with the option to the mortgagee to foreclose the mortgage at its own expense.

With respect to multifamily and group-house loans, under the new section 210 of the House bill, the limit of the amount of the insurance per room is \$1,000 and the maximum amount of the mortgage is \$250,000, whereas in the Senate amendment the limitation is \$1,150 per room, and the maximum amount of the mortgage is \$200,000. The Senate provisions were adopted.

Under both section 207 and section 210 the Senate amendment limited the interest rates to 5 percent for insurable mortgages, and these provisions were adopted.

Under the House bill, the operations of national mortgage associations were limited as to the purchase and sale of individual house mortgages insured under section 203 and operations under the new section 210, but permits them to

originate mortgages under section 207. The Senate amendment permits them to originate any insured mortgages, except that associations controlled or operated by the Government cannot originate mortgages insured under section 203. The Senate provisions were adopted.

Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. Wolcott].

Mr. WOLCOTT. Mr. Speaker, there are some very vital changes in the bill; and because I could not agree with the Senate or with the action of the House conferees in agreeing to the Senate amendments, I did not sign the conference report.

Briefly, the changes that the Senate made and the condition of the bill at the present time compared with what it was when it passed the House is about as follows: We set a ceiling on the total amount of the mortgages which might be outstanding at \$2,000,000,000. The Senate amended that so that the President in his discretion could increase it another billion dollars, which would make a total of \$3,000,000,000 which may be outstanding at any one time.

It will be recalled that the House adopted an amendment to the bill including rural as well as urban property. This stayed in the bill; but there is added to the bill suburban property, because we thought there might be a limitation on property right outside of cities which was not purely urban or rural.

On 90-percent loans the period of amortization is increased from 20 years to 25 years, so that the mortgages which are insured now upon the 90-percent basis may be amortized over a period of 25 years instead of 20. I think this is a rather desirable amendment inasmuch as it reduces the monthly amortized payments. The payments will be reduced by about \$4.50 or \$5 and it will add only about \$100 interest to a mortgage of \$5,400.

The so-called La Follette amendment which had to do with the insurance of loans on farm buildings has stayed in the bill so that we clarify any doubt there was concerning whether the bill applies to farm property. It does very decidedly now, under the La Follette amendment.

Some of the Members from urban communities were concerned about the limit placed upon multiple-dwelling units of \$1,200 per room.

This has been increased to \$1,350 a room, which is undoubtedly desirable.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from New York.

Mr. O'CONNOR of New York. What limit was finally put on the multiple dwelling, \$200,000 or \$250,000?

Mr. WOLCOTT. I was coming to that point. The House provided a ceiling of \$250,000. The Senate amended it and cut it to \$200,000, and we yielded on that; so if the conference report is adopted the ceiling will be \$200,000 instead of \$250,000.

Mr. O'CONNOR of New York. And not over \$1,350 a room?

Mr. WOLCOTT. The gentleman is correct.

Mr. O'CONNOR of New York. Does this apply to multiple dwellings of 25 families or 10 families?

Mr. WOLCOTT. I believe we reduced it to 10 families.

I do want to call attention to what I consider the major change in this bill, and this has to do with the creation of national mortgage associations. There are many, especially on this side of the aisle, who have taken a very firm stand against regimentation of industry, business, and agriculture, and have looked forward with some degree of concern to the day when the Federal Government might control the credit of this Nation. I may say this bill as it will be enacted, if you adopt this conference report, will create a situation whereby national mortgage associations may be created in any given city—New York, Washington, Chicago, or San Francisco. It matters not where the home office is, the home office can make loans as well as service and buy and sell mortgages.

National mortgage associations will be authorized to make loans in competition with every building and loan associa-

tion, bank, trust company, or other lending agency in the United States. We have opened the door wide for the Government to finance private national mortgage associations, whose purposes may be to take over the home-building credit facilities of this Nation. I do not want to do this, and this is why I did not sign the conference report.

Mr. STEAGALL. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I will yield if the gentleman will give me 2 additional minutes.

Mr. STEAGALL. Go ahead.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Missouri.

Mr. WILLIAMS. In what respect does the conference report change the bill as it applies to national mortgage associations from the bill we passed?

Mr. WOLCOTT. The bill as it passed the House provided that the Administrator be authorized and empowered to provide for the establishment of national mortgage associations, which shall be authorized, subject to rules and regulations, to purchase, service, and sell first mortgages. The Senate amended this language so it now reads:

To make loans and advances upon real-estate mortgages which are accepted for insurance or insured under title II.

The only restriction against the national mortgage associations making loans in every hamlet in the United States under title II of this act is contained in the proviso that no such association controlled or operated by the United States or any agency of the United States shall make any loan or advance upon mortgages which are accepted for insurance or insured under section 203 of this act. The only limitation in this act against the national mortgage associations' coming in competition with every lending agency in the United States is with respect to the 90-percent loans, and then only if the national mortgage association is operated or controlled by the United States Government or any agency thereof.

There is nothing in this bill to prevent the Reconstruction Finance Corporation from investing in the capital stock or the indentures of any national mortgage association, which can spread out like an octopus and take unto itself the building credit facilities of this Nation. I think the House should know what it is doing in that respect before it adopts this conference report. You go back home after you have adopted this conference report and explain to the millions of shareholders in your building and loan associations and the millions of depositors in your banks, who are now receiving not to exceed 2 percent interest on their deposits, and in many instances 1 percent, because a large amount of the profitable business has already been taken from the banks, so it is necessary to give the depositors a yield of only what the banks can make on their investments in Government bonds, that you have created a situation where the banks, the building and loan associations, and the trust companies must go out of the real-estate investment field to the prejudice of the shareholders and depositors. Explain this to them to their satisfaction, if you can. I do not believe you can. I do not believe we should be compelled to set up this giant octopus to take over real-estate credits under the control of any private enterprise subsidized with Government funds.

Mr. KRAMER. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from California.

Mr. KRAMER. The gentleman also knows the banks have decreased the rate of interest they are paying to depositors in most of the States. For instance, in California they have more than cut the rate in two.

Mr. WOLCOTT. Yes. This is necessitated by the fact we have established a system whereby the Federal Government is manufacturing the credit which normally and naturally flows from these institutions that have on deposit the people's money. If these institutions cannot invest their deposits profitably, they cannot pay a profitable rate of interest on such deposits.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. Fish].

Mr. FISH. Mr. Speaker, the gentleman from Michigan has made a very thorough and complete statement in regard to the conference report. I do not believe it is possible to write a perfect housing bill, but the purpose of the bill is correct, to promote home owning in the United States and make it easier for the American people to construct and own their own homes.

This bill provides these homes shall be built by private industry, the money shall come from private sources, and the home owner himself must put up 10 percent before the building can be erected. I do not see any reason why the Republicans should be opposed to legislation of this kind. We have been advocating this type of legislation for a long while. The main purpose is simply this. We are way behind the rest of the world in building private homes for our wage earners and this measure merely facilitates that useful purpose.

The reason I rise to speak today is that I want to take this opportunity to warn against too much optimism sweeping the country as people will be told by extensive propaganda that the American wage earner is going to start right in immediately to build homes. Of course, this is not a fact. With 11,000,000 wage earners unemployed, American wage earners are not going to put up the initial 10 percent immediately, in days of depression when they are fearful of the jobs they have and of the future. I anticipate a vast amount of propaganda, an excessive amount of propaganda, stating this is the way out of the depression, that the enactment of this housing bill, will mean \$16,000,000,000 will be spent and that 1,000,000 men will be put back to work immediately in building these needed homes.

The so-called Lodge amendment, providing for the prevailing wage scale in each community and backed by the American Federation of Labor, under the rules governing this conference report, cannot be considered. The Senate conferees receded on their own amendment and there is no parliamentary way of bringing the matter before the House for a vote.

I am in favor of the legislation as it will eventually promote the owning of homes by the American people and thus will tend to curb radicalism, socialism, and communism. This proposed housing merely gives an opportunity to the wage earner himself, who wants to build his home, who has sufficient money to put up the 10 percent, and such wage earners will put that amount just as soon as confidence in this country is restored and they are assured of permanent jobs. When that times comes, whether it is 6 months from now or a year from now, this bill will be immediately effective, and I hope it will pass by a unanimous vote. [Applause.]

Mr. STEAGALL. Mr. Speaker, in answer to the statement of the gentleman from Michigan [Mr. Wolcott], I may say that the only change made by the Senate and agreed to in conference with respect to original loans permitted to be made by national mortgage associations is a provision added by the Senate which permits such loans under section 203 of the bill, which includes the insurance of mortgages under the 90-percent provision and fixes the insurance premium at one-fourth of 1 percent for such mortgages. No such loans may be made by national mortgage associations except those which are privately owned.

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their own remarks on this report.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SPENCE. Mr. Speaker, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman for a question.

Mr. SPENCE. I would like to know how the conference agreement enlarges the powers of the national mortgage associations? Under the bill as it passed the House they could not go into direct competition with the local lending institutions. I understand now if the national mortgage associations come under the control of private enterprise—that is,

if the Reconstruction Finance Corporation gets out of the picture—then they come in direct competition with the building and loan associations.

Mr. STEAGALL. They are permitted to make loans, as I stated. The provision added by the Senate permits insured loans to be made, when covering individual houses, only when the ownership of the national association is in private hands.

Mr. SPENCE. That is a great enlargement of their powers that was not incorporated in the bill as it passed the House, and puts them in competition with local lending institutions, to the detriment, I think, of the local lending institutions. I am very much opposed to any enlargement of their powers, and I am sorry the conferees agreed to any such enlargement of the powers of the national mortgage associations.

Mr. STEAGALL. Well, of course, it is fair to say that such competition, as pointed out by the gentleman, is maintained now by insurance companies and the various lending agencies that engage in business of this type. The Government is not entering into this competition with private business any more in chartering one of these associations than in the case of the charter of a national bank or any other institution.

Mr. SPENCE. But the insurance companies and other private enterprises do not have the same advantages that a national mortgage association has, which can issue debentures free of both State and Federal taxes. It has many advantages and puts the local institution at a great disadvantage coming in contact with this Government-owned and originally Government-controlled enterprise. They still have the same advantages even when they go into private hands.

Mr. STEAGALL. Of course, the purpose of this legislation is to supplement and go forward with a construction program that is now lagging under present conditions.

The fact of the matter is that there is very little construction of houses going on today, and the purpose of this legislation is to give an impetus to such building, with the result that there will be an increased business for all institutions engaged in mortgage lending.

Mr. Speaker, I move the previous question on the conference report.

Mr. WOLCOTT. Mr. Speaker, will the gentleman withhold that a moment so I may ask the gentleman to yield 5 minutes to the gentleman from Massachusetts [Mr. Luce]?

Mr. STEAGALL. Does the gentleman from Massachusetts ask me to yield him 5 minutes?

Mr. LUCE. Yes.

Mr. STEAGALL. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts and withdraw the motion for the previous question.

The SPEAKER. The gentleman temporarily withdraws his motion for the previous question, and the gentleman from Massachusetts is recognized for 5 minutes.

Mr. LUCE. Mr. Speaker, I wish to call attention to the fact that such study as I have been able to give to the report of the conference committee, reading it carefully two or three times, does not disclose to me that there has been any provision agreed to by the committee preventing the insuring of apartment houses up to \$200,000. This was called to the attention of the House in the main debate, and I speak of it now merely to emphasize the fact that the Nation is embarking in financing private enterprise to the extent that it is to insure new apartment houses up to \$200,000. This seems to me a step in the direction of the entrance of Government into business that is deplorable. Of course, I realize that at this time there is no hope of getting further consideration for the matter, but this feature of the housing bill ought to be understood by the Members so that they may meet criticism in respect to it when they get home.

Further, no particular attention has been given to the fact that tax-exempt securities are to be issued, tax-exempt securities which will add one more to the escapes from local taxation that some of us have thought to be unfortunate. There will be no direct exemption in this particular, but the debentures to be issued, which furnish the money with which the enterprise is to be conducted, are not to be exposed to

local taxation. This is a great question that is deserving debate by itself. It has been discussed frequently in the House and throughout the country, and is sure to be discussed further. It seems unfortunate that we should here take a step that could not be brought squarely to the attention of the House in such a way that we might ascertain once and for all whether it is the will of Congress that the issue of tax-exempt securities shall be extended.

Regretting that these things could not have had the discussion in respect to them I think they should have, I wish to place myself on record as opposed to the Government financing of apartment houses, even though indirectly, and to the issuance of tax-exempt securities for such purposes.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. LUCE. Yes.

Mr. O'CONNOR of New York. How does the gentleman distinguish between the individual home, which the Government will finance, and the multiple dwellings in cities, which are necessary? If the Government is going into the business of helping individual homes, should it not help with multiple dwellings, which is at least the home of the city dweller? Where is the distinction?

Mr. LUCE. If the gentleman will examine the bill and read the testimony before the committee some years ago and recently, he will see that measures of this sort will not help those who dwell in the heart of big cities except in the one form of slum clearance. The cost of land is so great in the heart of large cities that those of scanty means who dwell there can never hope for benefits from this legislation, in my judgment.

Mr. O'CONNOR of New York. This multiple-dwelling measure should help in the matter of the so-called walk-up apartments. That is the home of these people, and if the Government is interested in homes, it ought to be just as much interested in those people as it is in the individual home in the suburbs.

Mr. LUCE. That argument would not appeal to a man like myself who believes that the apartment house is a curse on humanity.

Mr. O'CONNOR of New York. The gentleman, of course, has lived all of his life among those rolling green hills of Waltham, a suburb of the city of Boston. It is fortunate that he was not compelled to live in Boston, but some people are compelled to live in the congested areas, and they think their apartment is a home.

The SPEAKER. The time of the gentleman from Massachusetts has expired. The question is on the motion of the gentleman from Alabama to order the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to and a motion to reconsider laid on the table.

EXTENSION OF REMARKS

Mr. BEITER. Mr. Speaker, my colleague [Mr. KELLY of New York] is unavoidably detained today. He had to return to his district because of business. He has asked me to obtain permission for him to extend his remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

CROP-PRODUCTION LOANS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I commend the House on its action today in passing the resolution making appropriation for crop-production loans and harvest loans. The amount available for these loans under the resolution as passed will be approximately \$34,000,000, and it means that the loans will be made during the year 1938, and such funds will be available for that purpose until June 30, 1939.

For several years these crop loans have been made and no funds expended by the Government have done more in helping the small farmers of the United States than these crop loans; without them thousands of farmers who have heretofore made a living by farming would have had to go upon relief.

Such loans are made to small farmers who are unable to procure credit from any other source, and I am glad that they are to be available for the present crop year of 1938. The appropriation this year is earlier than it has been heretofore, and this is very important, since crop planting will soon begin in the southern section of our country.

In some sections of the country, due to crop failures and drought, the percentage of repayments may not have been large, but in my congressional district the percentage of collections has been very high, and from 90 to 95 percent of all such loans made have been repaid, with interest. No other loaning agency of the Government can produce a record of repayment better than this.

There is no class more needy and deserving than these small tenant farmers, and these crop loans have been life-savers to them, and I am glad that they are to be continued.

It is my hope that the Senate may act promptly upon this resolution, so that the loans may be immediately available.

EXTENSION OF REMARKS

Mr. KENNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Bergen Evening Record.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an address made this morning before the Rivers and Harbors Congress.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert therein an address delivered by a distinguished lawyer of the New York bar, Mr. Charles Wesley Dunn, before the Associated Grocery Manufacturers.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COCHRAN and Mr. VOORHIS asked and were given permission to revise and extend their remarks in the RECORD.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the resignation of Mr. J. F. T. O'Connor as Comptroller of the Currency, and the letter of the President accepting his resignation.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DIRKSEN and Mr. DITTER asked and were given permission to revise and extend their own remarks in the RECORD.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by printing an address delivered last Monday over the Washington Star Forum.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COCHRAN. Mr. Speaker, last evening the gentleman from Indiana [Mr. PETTENGILL] made a speech in New York on the question of the reorganization of the Federal Government. He was answered by Hon. James Roosevelt.

Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. PETTENGILL] may be permitted to print his speech in the RECORD and that I may be permitted to insert directly thereunder the answer of Mr. James Roosevelt.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, from the floor of this House on the 11th of January the gentleman from Washington [Mr. COFFEE], referring to Henry Ford, said (RECORD, p. 333):

In the brief time at my disposal I can only summarize the story of Mr. Ford's lawbreaking career.

On the 18th, after notifying Mr. COFFEE, I replied, and, among other things, said (RECORD, p. 732):

When history is written, the encyclopedias of the future are published, and the names of his traducers have been forgotten, and the records of the N. L. R. B. and of the S. C. L. C.'s libelous statements have crumbled to dust and scattered by the winds of heaven, the name of Henry Ford will still be known.

When the name of that one who today poses as the great benefactor of the common man has been dimmed—yes, almost lost—in the mists of time and he is known to history as the President of many moods, of many poses, of many promises, and the appalling record of his inconsistencies has been written, the name of Ford will stand forth clear, distinct, and undimmed upon one of the monuments which mark the progress of man from the beginning of time to eternity's end.

And let me predict that, whatever may be the verdict of any court or any courts, in the end, when the people of this country judge Henry Ford, they will find, and by their verdict they will declare, that his record as a patriotic citizen, as a man, as one who has contributed to the welfare of his fellow men, is second to that of no man of this or any other generation.

The following day a Nation-wide poll conducted by the American Institute of Public Opinion was released through the press. Let me read:

AMERICA SPEAKS: PUBLIC FOR FORD IN DISPUTE WITH U. A. W.

(By Dr. George Gallup, director, American Institute of Public Opinion)

Despite enormous gains in membership and power, the young United Automobile Workers Union, C. I. O. affiliate, faces an uphill fight to win the good will of the public in its controversy with Henry Ford over unionization of Ford workers.

This fact is indicated by the results of a survey conducted by the American Institute of Public Opinion as the smoldering Ford-C. I. O. controversy, which has already caused bloodshed and beatings, awaits review in the Federal courts.

The institute asked voters in every State:

In the present dispute between Henry Ford and the U. A. W., are your sympathies with Ford or with the union?

The vote was:

	Percent
For Ford.....	66
For union.....	34

Of special interest is the vote of the Nation's automobile owners. The great majority of those polled by the Institute say their sympathies are with Henry Ford. Among noncar owners sympathy is more divided, although even in this group a slight majority favors Ford.

	Percent for Ford	Percent for Union
Car owners.....	73	27
Noncar owners.....	54	46

The struggle between Ford and the union began in earnest last summer when union organizers attempting to distribute handbills to Ford workers in Dearborn were beaten.

Subsequently, the National Labor Relations Board found Ford Motor Co. guilty of violating the Wagner Act. Henry Ford's petition for a new hearing was denied by the Board which early this month took the case to a circuit court of appeals for an order to enforce its decision.

The Institute survey found that the majority sympathies of nearly all population groups polled are on the side of Henry Ford. The exceptions are unskilled workers and persons on relief.

A cross-section of both these groups indicated sympathy with the union cause. But an overwhelming majority of voters polled in the middle and upper classes say their sympathies are with Ford.

The majority sentiment toward the Ford case follows a trend clearly marked by earlier Institute surveys. The Auto Workers Union is the union which conducted the sit-down strike in General Motors a year ago.

An Institute survey at the time indicated that the majority of Americans were strongly opposed to the sit-down technique, and that the middle classes were growing increasingly fearful of the power of John L. Lewis and the C. I. O.

In its surveys on the General Motors strike, the Institute found that the longer the sit-down strike continued the more the voters sympathized with General Motors.

Since its function to ascertain the facts about public sentiment, the Institute's position in all controversies is one of strict impartiality.

But the facts uncovered by its surveys on the General Motors strike and the Ford case seem to indicate conclusively that the union has not succeeded in "selling" its cause to the public during the last year.

Commenting on the result of this poll, the Detroit News said:

FORD'S POPULAR SUPPORT

Henry Ford has a big jury deciding in his favor in the dispute between the Ford Motor Co. and the United Automobile Workers Union. It is composed of a great majority of the American people. Results of a survey conducted by the American Institute of Public Opinion, reported elsewhere in the News today, reveal that all population groups polled, except unskilled workers and persons on relief, side with Ford in his objection to a C. I. O. campaign to unionize his employees.

Ford evidently is cashing in on the popularity won when some years ago he voluntarily doubled the prevailing wage of his workers and explained that it would be the continuous policy of his company to pay the highest possible wages.

That announcement spread consternation among employers throughout the country, who, nevertheless, were constrained to follow Ford's example. For a time Ford was subjected to bitter criticism by many who thought the new policy revolutionary and impractical. The event justified the Ford policy.

And now, when Mr. Ford again is attacked and this time must defend himself in court against charges that he violated the Wagner Act, he finds backing of substantial character. "Are your sympathies with Ford or with the union?" asked the Institute of Public Opinion, and 66 percent of those voting said, "With Ford."

It might be well for those Members of the House who style themselves "progressives" and "liberals"; who assume on so many occasions to speak for the people and who intimate on occasion that they, and they alone, are the only friends of the worker, to revise their opinions of Henry Ford and perhaps of some other men who have done much in the industrial world.

Recalling that we have heard them on so many occasions denounce so bitterly, with so much of acid in voice, manner, and language, certain capitalists termed "economic royalists"; that Vincent Astor seems to have been a friend and a companion on many a yachting trip of the President himself; that Barney Baruch, hailing from Wall Street, who might be termed, if anyone can be so designated, as an "international banker," frequently calls at the White House; and, more recently, that we find John L. Lewis and Thomas W. Lamont of 23 Wall Street going, if not hand in hand or arm in arm, at least together on a common mission to call upon the President in consultation on a plan of procedure in which both were financially interested; would it not be well that these "liberals" separate the sheep from the goats?

Why is Lewis in bed with Lamont? And is the President in his conferences with these "economic royalists," such as Sloan, Weir, Clement, West, Brown, and the others, "asking them" or "is he telling them"?

The people have heard the words of Roosevelt and they are seeing some of his actions and they are saying, with Isaac of old:

The voice is Jacob's voice, but the hands are the hands of Esau.

So, too, we might say the words of the President promise all things to all men, but his acts bring destruction to the Nation as a whole.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. The gentleman from Texas asks unanimous consent that when the House adjourns today it adjourn to meet on Monday next. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. MOSIER of Ohio, for 2 days, on account of important business.

To Mrs. JENCKES of Indiana, for 2 days, on account of important business.

To Mr. HOUSTON, indefinitely, on account of critical illness in family.

To Mr. QUINN, for 2 days, on account of important business.

OMNIBUS PRIVATE-CLAIMS BILL

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that on next Tuesday, January 25, it may be in order to consider the bill H. R. 7199, a bill for the relief of sundry claimants, and for other purposes, under the Omnibus Private Calendar rule.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, can the gentleman from Texas tell us what the program for next week will be? A number of Members on this side of the aisle would like to know.

Mr. RAYBURN. Yes. Next Monday will be District of Columbia day. On Tuesday, if my present request is granted, this omnibus private-claims bill will be considered. The calendar of committees will be called on Wednesday. On Thursday and Friday we expect to take up the District of Columbia appropriation bill.

OMNIBUS PRIVATE-CLAIMS BILL

Mr. MARTIN of Massachusetts. In reference to the request the gentleman is making, one of the objectors on this side of the House, the gentleman from New York [Mr. HANCOCK] has said that two of the men who scrutinize this calendar were ill and unable to take care of their official duties. For this reason I am reluctant to consent, but I understand the gentleman from Maryland [Mr. KENNEDY] has had a later conversation with the gentleman from New York.

Mr. KENNEDY of Maryland. Mr. Speaker, I talked to the gentleman from New York [Mr. HANCOCK] and informed him that it was desired to bring this bill up on Tuesday. He said they would be ready by that time.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 15 minutes p. m.), in accordance with its previous order, the House adjourned until Monday, January 24, 1938, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, January 25, 1938. Business to be considered: Continuation of hearings on S. 69—train lengths. Mr. J. A. Farquharson, of the Railroad Trainmen, will continue his statement.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing in room 219, House Office Building, February 1, 1938, at 10 a. m., on H. R. 8344, a bill relating to the salmon fishery of Alaska.

COMMITTEE ON PENSIONS

The Committee on Pensions will start hearings on H. R. 8690, granting a pension to widows and dependent children of World War veterans on Tuesday, January 25, 1938, at 10 a. m.

The Committee on Pensions will hold a hearing at 10 a. m., Friday, January 28, 1938, on H. R. 8690, granting a pension to widows and dependent children of World War veterans.

COMMITTEE ON ROADS

The Committee on Roads will hold public hearings on H. R. 8838, to amend the Federal Aid Highway Act, and related proposals, on Tuesday, January 25, 1938, at 10 a. m.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. McGEHEE's Subcommittee on the Judiciary of the Committee on the District of Columbia will meet Monday, January 24, 1938, at 10:30 a. m., in room 345, House Office Building, to consider H. R. 7470, tax exemption for the Society of the Cincinnati, and S. 1835, small claims court.

Mrs. VIRGINIA E. JENCKES' Subcommittee on Public Health, Hospitals, and Charities of the Committee on the District of Columbia, will meet Thursday, January 27, 1938, at 10 a. m., in room 345, House Office Building, to consider H. R. 3890, antivivisection.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WARREN: Committee on Accounts. House Resolution 404. Resolution to authorize the Clerk of the House to employ a laborer; without amendment (Rept. No. 1706). Referred to the House Calendar.

Mr. TAYLOR of Colorado: Committee on Appropriations. House Joint Resolution 571. Joint resolution making appropriations available for administration of the Sugar Act of 1937 and for crop production and harvesting loans; without amendment (Rept. No. 1707). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANHAM: Committee on Public Buildings and Grounds. H. R. 8972. A bill to transfer to the Secretary of the Treasury a site for a quarantine station to be located at Galveston, Tex.; without amendment (Rept. No. 1708). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 8316) granting an increase of pension to Harriet L. Liggett, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUCK: A bill (H. R. 9093) to provide for the appointment of an additional district judge for the northern district of California, and to fix his official residence; to the Committee on the Judiciary.

By Mr. DUNN: A bill (H. R. 9094) to provide \$65,000,000,000, which shall be expended within a period of 10 years to furnish employment and to end poverty in the United States and its possessions; to the Committee on Ways and Means.

By Mr. FORD of California: A bill (H. R. 9095) to amend section 3 (a) of the Social Security Act; to the Committee on Ways and Means.

By Mr. HEALEY: A bill (H. R. 9096) to amend an act entitled "An act to amend an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, and acts amendatory thereof and supplementary thereto," approved June 7, 1934; to the Committee on the Judiciary.

By Mr. KRAMER: A bill (H. R. 9097) to extend the benefits of the Social Security Act to include individuals over 50 years of age who are physically disabled; to the Committee on Ways and Means.

By Mr. MAY: A bill (H. R. 9098) to promote air commerce by providing for the enlargement of Washington Airport; to the Committee on Military Affairs.

By Mr. PALMISANO: A bill (H. R. 9099) to amend paragraphs (b), (c), and (d) of section 6 of the District of Columbia Traffic Act, 1925, as amended by the acts of July

3, 1926, and February 27, 1931, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 9100) limiting the duties of the chief Clerk and Chief Inspector of the Health Department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. SCOTT: A bill (H. R. 9101) to amend the act of June 6, 1924, entitled "An act to amend in certain particulars the National Defense Act of June 3, 1916, as amended, and for other purposes"; to the Committee on Military Affairs.

By Mr. COFFEE of Washington: A bill (H. R. 9102) to provide for a permanent Bureau of Fine Arts; to the Committee on Education.

By Mr. WENE: A bill (H. R. 9103) to provide for the appointment of an additional district judge for the district of New Jersey; to the Committee on the Judiciary.

By Mr. BOREN: Joint resolution (H. J. Res. 572) requesting a report from the Bureau of the Public Health Service pertaining to the prevention of syphilis; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States with reference to an increased and adequate national defense; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEAM: A bill (H. R. 9104) for the relief of Alfred J. Mulvaney; to the Committee on Naval Affairs.

By Mr. BURDICK: A bill (H. R. 9105) to confer citizenship on John Erickson; to the Committee on Immigration and Naturalization.

By Mr. CHANDLER: A bill (H. R. 9106) to afford an opportunity of selection and promotion to certain officers of the United States Naval Academy class of 1909; to the Committee on Naval Affairs.

By Mr. CROWE: A bill (H. R. 9107) granting a pension to Isaac A. Chandler; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 9108) for the relief of John J. Connors; to the Committee on Military Affairs.

By Mr. HARTLEY: A bill (H. R. 9109) for the relief of Joseph Anthony Cordick; to the Committee on Naval Affairs.

By Mr. HULL: A bill (H. R. 9110) for the relief of the Wisconsin Milling Co. and Wisconsin Telephone Co.; to the Committee on Claims.

Also, a bill (H. R. 9111) for the relief of Theodore J. Thompson; to the Committee on Claims.

By Mr. KEOGH: A bill (H. R. 9112) for the relief of E. A. McCormack; to the Committee on Claims.

By Mr. MAGNUSON: A bill (H. R. 9113) for the relief of Forest F. Gott and Emeline Gott; to the Committee on Claims.

Also, a bill (H. R. 9114) to admit Mrs. Henry Francis Parks permanently to the United States; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 9115) for the relief of Martha A. Donaldson; to the Committee on Claims.

By Mr. O'TOOLE: A bill (H. R. 9116) for the relief of William A. Reithel; to the Committee on Claims.

By Mr. REECE of Tennessee: A bill (H. R. 9117) granting a pension to Alfred Arrowood; to the Committee on Pensions.

By Mr. RICHARDS: A bill (H. R. 9118) for the relief of Mark H. Doty; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 9119) granting an increase of pension to Ebb Hundley; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 9120) for the relief of Charles Lawrence; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3857. By Mr. ANDREWS: Resolution adopted by the International Hod Carriers' Building and Common Laborers Union of America, Local No. 173, of Lockport, N. Y., favoring passage of the General Welfare Act; to the Committee on Ways and Means.

3858. By Mr. CARTER: Petition of the Board of Supervisors of Contra Costa County, State of California, urging the enactment of House bill 4199, the general welfare bill; to the Committee on Ways and Means.

3859. By Mr. COLDEN: Resolution of the Teamsters Joint Council, No. 42, of Los Angeles and vicinity, and endorsed by Lumber and Sawmill Workers, No. 2607, San Pedro, Calif., protesting against antiunion activities and asking that same be investigated; to the Committee on the Judiciary.

3860. By Mr. CULKIN: Petition of the Rochester Association of Credit Men, urging repeal or modification of the undistributed profits tax with recommendations thereon; to the Committee on Ways and Means.

3861. Also, petition of the National Association of Swine Records, Peoria, Ill., asking the excise duties on imported pork and pork products be increased, that no processing tax on pork be included in the new agricultural bill, and that Congress not ratify the Argentine sanitary pact; to the Committee on Agriculture.

3862. By Mr. FULMER: Concurrent resolution, submitted by J. H. Hunter, Jr., clerk, House of Representatives, of Columbia, S. C., to commend the President and to memorialize the Congress of the United States for an adequate national defense; to the Committee on Military Affairs.

3863. By Mr. KENNEY: Petition of the New Jersey Farm Bureau and New Jersey State Grange, favoring the discontinuance of the Federal gasoline tax at the close of the fiscal year ending June 30, 1938, and asking that it not be levied again in any way whatsoever, and that the Federal Government permanently withdraw from the field of gasoline taxation; to the Committee on Ways and Means.

3864. By Mr. KEOGH: Petition of the Chamber of Commerce of the State of New York, protesting against the interruption of pneumatic-tube mail service in New York City; to the Committee on Appropriations.

3865. By Mr. O'NEILL of New Jersey: Petition of the New Jersey State Grange and New Jersey Farm Bureau, protesting against the continuance of the Federal gas tax; to the Committee on Ways and Means.

SENATE

MONDAY, JANUARY 24, 1938

(Legislative day of Wednesday, January 5, 1938)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

JAMES H. HUGHES, a Senator from the State of Delaware, appeared in his seat today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, January 21, 1938, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8730) to amend the National Housing Act, and for other purposes.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 8993. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1939, and for other purposes; and